



**AGENDA  
CITY OF HALF MOON BAY  
COMMUNITY DEVELOPMENT DIRECTOR HEARING**

**WEDNESDAY, OCTOBER 31, 2018**

**4:00 PM**

**Ted Adcock Community Center  
(South Day Room)  
535 KELLY Street  
Half Moon Bay, California 94019**

**Community Development Director: Jill Ekas**

**This agenda contains a brief description of each item to be considered. Those wishing to address the Community Development Director on any matter not listed on the Agenda, but within the jurisdiction of the Community Development to resolve, may come forward during the Public Comment portion of the Agenda and will have a maximum of three minutes to discuss their item. Those wishing to speak on a Public Hearing matter will be called forward at the appropriate time during the Public Hearing consideration.**

**Please Note: Please Provide a Copy of Prepared Presentations to the Planning Division.**

**Copies of written documentation relating to each item of business on the Agenda are on file in the Office of the City Clerk at City Hall where they are available for public inspection. If requested, the agenda shall be available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132.) Information may be obtained by calling 650-726-8271.**

**In compliance with the Americans with Disabilities Act, special assistance for participation in this meeting can be obtained by contacting the City Clerk's Office at 650-726-8271. A 48-hour notification will enable the City to make reasonable accommodations to ensure accessibility to this meeting (28 CFR 35.102-35.104 ADA Title II).**

**I. CALL TO ORDER**

**II. PUBLIC COMMENT**

**III. PUBLIC HEARING ITEMS**

**ITEM 1:**

<b>Project:</b>	Approve an application for a Coastal Development Permit to allow implementation of an annual managed goat grazing program, for an initial period of five years
<b>File Number</b>	PDP-010-14
<b>Requested Permits/Approvals</b>	Coastal Development Permit
<b>Site Location</b>	This project is located on a portion of undeveloped parcel (APN: 048-240-040) that fronts the northern side of Frontage Road that run's parallel to Highway 1.
<b>Applicant/Property Owner</b>	Sewer Authority Mid-Coastside (SAM)
<b>Project Planner</b>	Doug Garrison, <a href="mailto:dgarrison@hmbcity.com">dgarrison@hmbcity.com</a> (650) 712-5836
<b>Zoning District</b>	R-1 B-2 Single-Family Residential Zoning District

**IV. ADJOURNMENT**



**City of Half Moon Bay**  
**COMMUNITY DEVELOPMENT DIRECTOR HEARING**  
**STAFF REPORT**  
**October 31, 2018**

**RECOMMENDATION**

Approve PDP-010-14, an application for a Coastal Development Permit to allow the implementation of an annual managed goat grazing program on a portion of APN: 048-240-040, for an initial period of five years with conditioned allowances to extend the program, based upon the Findings and Evidence contained in Exhibit A of the Draft Resolution, and subject to the Conditions of Approval in Exhibit B.

**PROJECT BACKGROUND**

<b>Project Summary</b>	
<b>File Number</b>	PDP-010-14
<b>Requested Permits/Approvals</b>	Coastal Development Permit
<b>Site Location</b>	The project is located on a portion of the undeveloped parcel (APN: 048-240-040) that fronts onto the northern side of Bev Cunha’s Country Road and the west side of the frontage road that runs parallel to Highway 1 (Cabrillo Highway). The parcel has not been assigned a street address number at this time.
<b>Applicant/Property Owner</b>	Sewer Authority Mid-Coastside (SAM)
<b>Project Planner</b>	Douglas Garrison; (650) 712-5836; <a href="mailto:dgarrison@hmbcity.com">dgarrison@hmbcity.com</a>
<b>Zoning District</b>	Urban Reserve (U-R)
<b>LCP Land Use Plan Designation</b>	Urban Reserve (U-R)
<b>Water Service</b>	N/A
<b>Sewer Service (Sewer Authority Mid-Coast)</b>	N/A
<b>Street Improvements</b>	N/A
<b>Environmental Determination</b>	The Program is Categorically Exempt from environmental review under the California Environmental Quality Act, pursuant to Class 1 and 4 exemptions, Section 15301(b) and (h) and 15304(i).
<b>Heritage Trees</b>	No heritage trees will be removed
<b>Story Poles</b>	N/A

<p><b>Right of Appeal</b></p>	<p>Any aggrieved person may appeal the decision of the Planning Commission to the City Council within ten (10) working days of the date of the decision. This project is located within the California Coastal Commission appeals jurisdiction. Therefore, final City action is appealable to the California Coastal Commission.</p>
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**Figure 1. Site Location**



**Site and Surrounding Properties**

The project site is located on an undeveloped lot owned by the Sewer Authority Mid-Coastside (SAM). The parcel is designated Urban Reserve (U-R) on the Land Use Plan Map and the Zoning Map. Land use and zoning for properties surrounding the subject site are as follows:

	<b>Land Use</b>	<b>Zoning</b>
North	Kehoe Watercourse and developed residential subdivision beyond	R-1-B-2 Single-family Residential
South	Primarily undeveloped land and a church on the easternmost corner	U-R Urban Reserve and P-S Public Service
East	Highway 1 and single family residential beyond	State Highway and R-1-B-2 Single-Family Residential
West	SAM Wastewater Treatment Plant	P-S Public Service

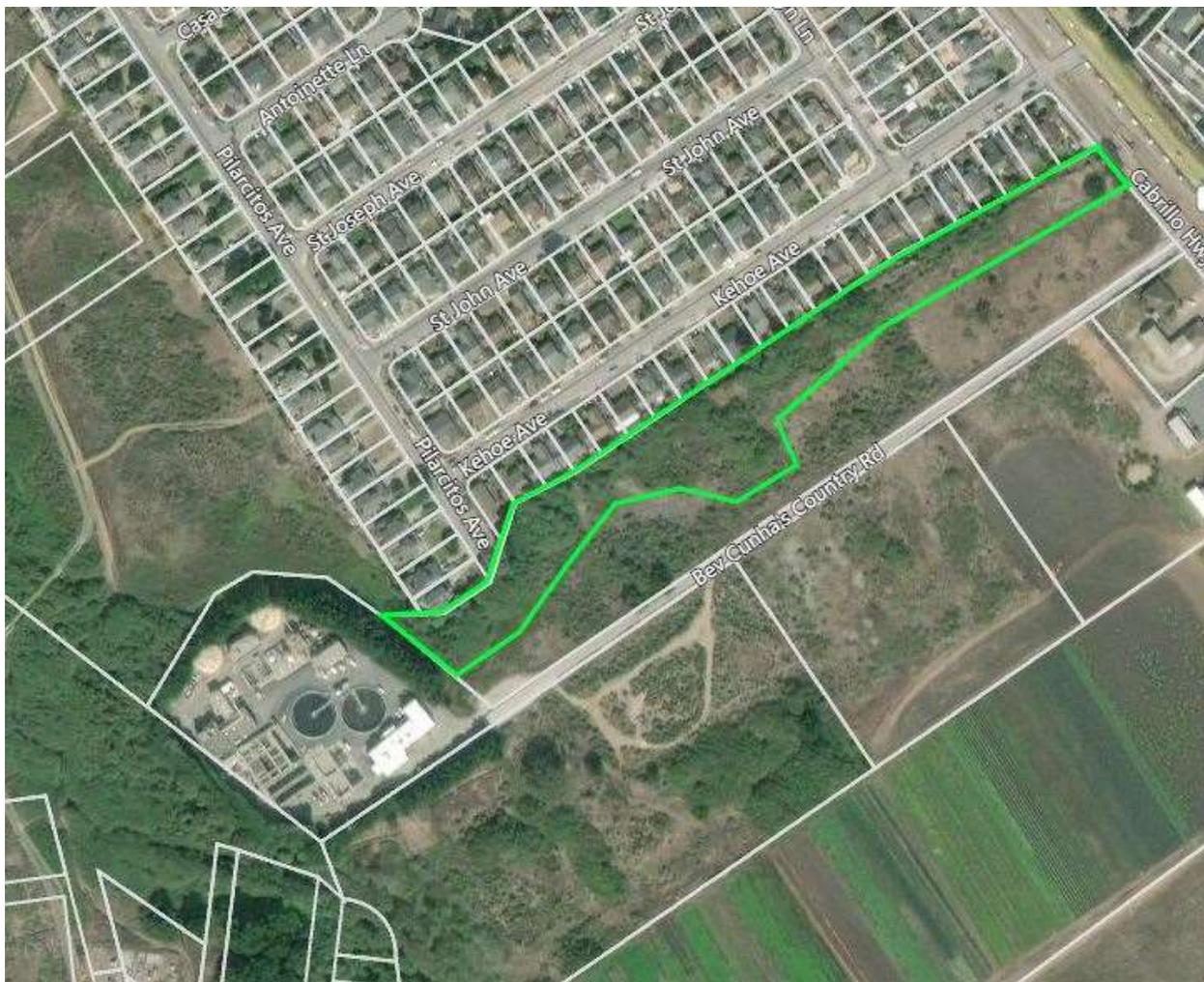
**Project Description**

The vegetation management program (Program) is required by the Coastside Fire Protection District to reduce the fire threat to adjacent residential properties. In response to this fuel

reduction requirement, Sewer Authority Mid-Coastside (SAM) is proposing to implement annual managed goat grazing on the property. Additional potential benefits of the Program include the reduction of non-native invasive plants that dominate much of the property.

The goat grazing activities will be undertaken on a portion of the approximately 9.5-acre undeveloped parcel. The area subject to vegetation management will typically be less than half of the parcel. The Program incorporates habitat protection measures including exclusion of grazing and other activities within 50 feet of the edge of riparian vegetation associated with the Kehoe Watercourse. The approximate location of the buffer is shown below in Figure 2. The actual buffer boundary will be demarcated annually by the Project Biologist, prior to commencing grazing activities, based on baseline conditions.

Figure 2. Riparian Buffer



The Program will be limited to a few weeks, during the dry season typically between June 15 and October 31, when potential impacts will be minimized to the greatest extent. Goats and in some cases a mix of goats and sheep will be brought to the site and allowed to graze in fenced areas.

A qualified biologist will perform a daytime survey, prior to commencement of vegetation management activities and mark environmentally sensitive areas where grazing will not be allowed; or, will be subject to limitations including daily monitoring. The biologist may modify grazing protocols, annually, to optimize fire risk reduction, removal of non-native invasive plants and protection of environmentally sensitive areas.

Temporary fencing that provides a mild electrical shock will be used to prevent goats from entering environmentally sensitive areas. Typical fencing consists of one to three strands of wire, mounted on posts, high enough to stop goats and similarly sized mammals. Smaller mammals and other species may pass under the wires freely. The electrical current is limited to a level that ensures that the shock will not injure or kill. It is a safe, proven and well established tool for controlling animal movements by establishing a psychological barrier through conditioned response. Additionally, amphibian and reptile exclusionary fencing may be used if determined to be appropriate by a qualified biologist, to prevent these species from entering the grazing area.

Goats will be monitored and herded to different areas to ensure they do not overgraze vegetation or cause adverse effects to native coastal resources. Mechanized equipment and pesticides will not be used.

## **ANALYSIS**

### **Background**

The Program is required by the Coastside Fire Protection District to reduce the fire threat to adjacent residential properties. The Program, as originally proposed, included two primary components: 1) The extensive use of mechanized equipment including mulching mowers, weed-eaters, chainsaws and other hand-held equipment; and 2) Goat grazing as an option. Due to the extensive use of mechanized equipment and proximity to designated environmentally sensitive habitat area (ESHA) it was determined that a Coastal Development Permit (CDP) would be required. The City of Half Moon Bay (City) is the designated entity responsible for processing CDP applications for projects within the City boundary. At the City's direction H.T. Harvey and Associates prepared a biological assessment of the Program, (Sewer Authority Mid-Coastside Parcel Coastal Resource Conservation Biological Report). The report was circulated, by the City, for review by resource agencies and the California Coastal Commission. Based on comments, the report was revised. The revised edition is dated July 22, 2015. The report concluded that the Program, with the implementation of appropriate avoidance and mitigation measures would not cause significant impacts to biological resources. However, the use of mechanized equipment was determined to be the primary cause of potential impacts and the need for mitigation measures. Consequently, SAM has modified the Program to rely entirely on grazing. This approach is less environmentally intrusive, reduces potential adverse impacts substantially and is expected to result in beneficial effects by removal of nonnative invasive plant species that have degraded the habitat potential of native plant communities.

The revised Program incorporates resource avoidance measures and monitoring and reporting requirements that allow the Program to adapt to changing baseline conditions, over time, based on scientific evidence.

### **Conformance with the General Plan**

The Program does not include grading or the construction of new structures. It will not be growth inducing or interfere with achieving housing goals. It will not contribute new traffic to local roadways or be a substantial source of noise. Consequently, the Program is consistent with the goals, objectives and policies of the General Plan.

### **Local Coastal Program Land Use Plan**

The project will not impede coastal access, obstruct views of scenic vistas or adversely affect historic, paleontological or cultural resources. The Kehoe Watercourse and associated riparian vegetation meets the LUP definition of an Environmentally Sensitive Habitat Area (ESHA). Additionally, in 2017, the LUP was amended to classify this entire parcel as ESHA even though approximately half of the parcel is not within fifty feet of riparian vegetation. This portion is primarily covered with a mix of non-native annual grasses, northern coastal scrub and isolated upland seasonal wetlands. The proximity to offsite red legged frog breeding habitat was the primary reason for designating the entire property as ESHA.

LUP Section 3.1 establishes policies to protect ESHA. Section 30240 (a and b) requires the protection of ESHA from significant habitat value disruption and requires that development adjacent to ESHA be sited and designed to prevent impacts that would significantly degrade the ESHA and be compatible with the ESHA in the long term. The Program does not include any activities in the Kehoe Watercourse, associated riparian vegetation or a fifty foot wide buffer from the edge of riparian vegetation. The Program has been modified to rely entirely on goat grazing, no mechanized equipment or herbicides will be used. Additionally, as noted by the project biologist and in other published technical reports (discussed below in the CEQA section), goat grazing is expected to be beneficial for the seasonal wetlands located in the upland area of the property, and other plant communities, due to goats demonstrated preference for many of the non-native invasive plants that currently dominate much of the property.

The Program has been sited and designed to prevent impacts to the Kehoe Watercourse, riparian vegetation, and other potentially important biological resources. It will not disrupt the habitat value of the property, consequently, the program is consistent with the LUP.

### **Conformance with the Zoning Code**

The Half Moon Bay Zoning Code (Title 18), Section 18.20.025.A.1 requires a Coastal Development Permit (CDP) for development within 100 feet of ESHA. Pursuant to Section 18.20.030, the Program would potentially be exempt from CDP requirements because the goat grazing will not result in an expansion in capacity or intensification of use of the existing SAM wastewater treatment facility; and, the Program does not include "Extraordinary Methods of Repair and Maintenance" as defined in the Coastal Act. In this case, the City conservatively determined that a CDP would be required because the entire property is currently identified in the LUP as ESHA.

The CDP provides an enforceable mechanism to ensure compliance with Program resource avoidance measures and periodic review of the Program. Condition No. C.7. of the attached resolution requires annual monitoring and reporting of baseline conditions and allows for modification of the grazing protocols to ensure Program effectiveness. Condition No. A.4 limits the Program to five years and allows for additional five year extensions based on review of the monitoring reports and confirmation that the Program protocols are being properly followed and that coastal resources are not being adversely affected.

The property is zoned Urban Reserve (U-R). The purpose of the U-R zoning designation is to allow the continued use of these lands for agricultural uses and to prevent premature development of the property. Horticulture and similar agricultural uses are permitted by right in U-R districts. Permanent livestock operations are not a permitted use in the U-R zoning district. However, equestrian centers and short term activities such as animal shows and rodeos are conditioned uses. The vegetation management program is required by the Coastside Fire District and State law to reduce the risk of fire damage to neighboring residential properties. In this case, goat grazing is the least environmentally intrusive way to comply with these legally mandated requirements. The grazing will be temporary, lasting a few weeks annually. Consequently, the Program is similar to permitted uses cited above and is consistent with the requirements of the zoning code.

#### **California Environmental Quality Act (CEQA)**

The Program is Categorically Exempt from environmental review under the California Environmental Quality Act, pursuant to Class 1 and 4 exemptions, Section 15301(b) and (h) and 15304(i).

**15301 Existing Facilities.** Class 1 includes operation, maintenance or minor alteration of existing public or private facilities and topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. Specifically, this Exemption applies to investor and publicly owned utilities and includes maintenance of existing native vegetation.

The program consists of managed goat grazing of limited duration. The program will not result in an expansion or increased capacity of the existing SAM facilities or contribute to regional population growth that could require additional sewer capacity.

**15304. MINOR ALTERATIONS TO LAND** Class 4 consists of minor alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes. Examples include, but are not limited to:

- i) Fuel management activities within 30 feet of structures to reduce the volume of flammable vegetation, provided that the activities will not result in the taking of endangered, rare, or threatened plant or animal species or significant erosion and sedimentation of surface waters. This exemption shall apply to fuel management*

*activities within 100 feet of a structure if the public agency having fire protection responsibility for the area has determined that 100 feet of fuel clearance is required due to extra hazardous fire conditions.*

Fuel management activities have been determined to be a priority of statewide importance to protect structures and are exempt from CEQA review, with certain limitations. No healthy, mature, scenic trees will be removed or adversely affected.

The vegetation management program has been determined to be necessary, by the Coastside Fire Protection District, to reduce fire related hazards to nearby residential properties. However, in this case, following Guideline 15304(i) verbatim would potentially cause significant effects to the environment. This is clearly counter to the intent of the Exemption which is to protect property and human safety, while limiting the amount of vegetation removal to the minimum necessary and ensuring that protected species and environmentally sensitive resources are not adversely affected. The subject property is separated from the residential properties by the Kehoe Watercourse, an intermittent stream. This section is typically dry in the summer months and would provide limited value as a fire break. It does, however, support a band of riparian vegetation along the channel that is classified as an ESHA. The area that is within either 30 or 100 feet of the residential properties, to the north, includes the riparian vegetation, which is the most environmentally sensitive and valuable habitat on the parcel. Consequently, the more environmentally sound approach is to conduct fuel reduction activities in the area outside of a fifty-foot wide riparian buffer. Although this would typically be outside of the recommended 30 or 100-foot area immediately surrounding structures, it avoids potentially significant effects to the environment through project design and better fulfills the intent of this exemption.

Additionally, the Sewer Authority Mid-Coastside Parcel Coastal Resources Conservation Biological Report, prepared by H.T. Harvey and Associates, dated July 22, 2015, evaluated the Program and concluded that goat grazing would be beneficial for the seasonal wetlands located in the upland area of the property, due to goats demonstrated preference for grazing on non-native invasive plants that currently dominate much of the property. The study also concluded that the use of mechanized equipment could cause adverse effects to these resources. A study published by the Alameda County Resource Conservation Service, Managing Rangelands to Benefit California Red Legged Frogs and California Tiger Salamanders, in 2013, summarized the findings of numerous studies and concluded that rangeland grazing was generally not detrimental to California Red Legged Frog (CRLF) populations and in some cases can be beneficial. The study notes that trampling of these species appears to be rare and that CRLF have been observed using hoof footprints as refuges during dry periods. In 2014, The Coastside Land Trust implemented a similar goat grazing program in the City of Half Moon Bay. The biological report prepared by The Huffman- Broadway Group, for the Land Trust, concluded that by limiting grazing to summer months, when the potential for CRLF and San Francisco Garter Snake (SFGS) presence would be at its lowest there would not be significant impacts to these species. Furthermore, they note that reducing the density of ground cover that blocks the movement of

these species could be beneficial. The Coastside Land Trust grazing program is a successful model that has been in effect since 2014.

With the inclusion of avoidance measures, that have been developed in consultation with the California Department of Fish and Wildlife and the consulting biologist, H. T. Harvey and Associates, the project does not have the potential to cause significant impacts to the environment. Avoidance measures include: 1) Installing temporary fencing to prevent grazing within environmentally sensitive areas; 2) Pre-activity site surveys; 2) Active monitoring to prevent overgrazing and to optimize the removal of non-native invasive plants; and 3) Annual monitoring and reporting of results by a qualified biologist.

### **Conclusion**

Based on the above analysis, staff concludes that the proposed Goat Grazing Program is consistent with the General Plan, Local Coastal Land Use Plan, the Zoning Code/LCP Implementation Plan, and conforms to the requirements of the California Environmental Quality Act. Staff recommends approval of the project, subject to review in five years, based on the findings and conditions of approval (Exhibits A and B of the attached Draft Resolution).

### **ATTACHMENTS**

1. Draft Resolution with Findings and Evidence, Exhibit A and Conditions of Approval, Exhibit B.
2. Sewer Authority Mid-Coastside Vegetation Management Program
3. H.T. Harvey and Associates, Sewer Authority Mid-Coastside Parcel Coastal Resources Conservation Biological Report, Revised July 22, 2015.
4. Draft CEQA Notice of Exemption

**COMMUNITY DEVELOPMENT DIRECTOR RESOLUTION CDR-18-XXX  
RESOLUTION FOR APPROVAL  
PDP-010-14**

**COASTAL DEVELOPMENT PERMIT TO ALLOW A VEGETATION MANAGEMENT / FIRE FUEL REDUCTION PROGRAM, LOCATED ON A PORTION OF APN 048-240-040, EXCLUDING THE KEHOE WATERCOURSE AND A 50 FOOT BUFFER FROM THE EDGE OF RIPARIAN VEGETATION. GOAT GRAZING WILL OCCUR ANNUALLY, FOR APPROXIMATELY ONE MONTH, DURING THE DRY SEASON. NO MECHANIZED EQUIPMENT OR HERBICIDES WILL BE USED.**

**WHEREAS**, an application was submitted requesting approval of a Coastal Development Permit to allow the implementation of a vegetation management/ fuel reduction program; and

**WHEREAS**, the procedures for processing the application have been followed as required by law; and

**WHEREAS**, the Community Development Director conducted a duly noticed public hearing on October 31, 2018, at which time all those desiring to be heard on the matter were given an opportunity to be heard; and

**WHEREAS**, the Community Development Director considered all written and oral testimony presented for consideration; and

**WHEREAS**, in response to public and City comments, the applicant has revised the Program to incorporate more environmentally sound methods and the Community Development Director has determined that the revised Program, dated October 10, 2018, conforms to applicable City policies and regulations and adequately address comments; and

**WHEREAS**, the Conditions of Approval, set forth in Exhibit A of this resolution, incorporate these revisions; and

**WHEREAS**, the Community Development Director has determined that the requested Coastal Development Permit allowing the implementation of the proposed vegetation management/ fuel reduction program is categorically exempt pursuant to CEQA Guidelines Class 1 and 4 Exemptions, Section 15301(b) and (h) and 15304(i); and

**WHEREAS**, the Community Development Director has made the required findings for approval of the project, set forth in Exhibit A to this resolution;

**NOW, THEREFORE, BE IT RESOLVED** that, based upon the Findings in Exhibit A and subject to the Conditions of Approval contained in Exhibit B, the Community Development Director approves the application (PDP-010-14).

**PASSED AND ADOPTED** by the City of Half Moon Bay Community Development Director at a duly noticed public hearing held October 31, 2018.

APPROVED:

\_\_\_\_\_  
Jill Ekas, Community Development Director

\_\_\_\_\_  
Date Signed

**EXHIBIT A**  
**FINDINGS AND EVIDENCE**  
**Community Development Director Resolution CDR-18-XXX**  
**PDP-010-14**

**General Plan– Findings**

1. *The development as proposed or as modified by conditions, conforms to the General Plan.*

**Compliance:** The program will not induce population growth and will not preclude future residential development of the subject property. No additional public facilities, including parks will be required. The Program will not generate additional traffic on area roads and will not interfere with vehicle circulation. No new structures are proposed, and the Program will not create or exacerbate the risk of damage from seismic events or other hazards. The Program will reduce potential fire hazards. Program revisions have eliminated the proposed use of mechanized equipment, substantially reducing noise levels. Goat grazing will be temporary and will not create substantial new sources of noise. Based on the above factors, the Program conforms to the Housing, Circulation, Parks, Safety, and Noise Elements of the General Plan.

**Coastal Development Permit – Findings for Approval**

The required Coastal Development Permit for this project may be approved or conditionally approved only after the approving authority has made the following findings per Municipal Code Section 18.20.070:

1. **Local Coastal Program** – *The development as proposed or as modified by conditions, conforms to the Local Coastal Program.*

***LUP Section 3.1 Coastal Act Policies , Section 30240 (a and b):***

***(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.***

***(b) Development in areas adjacent to environmentally sensitive habitat areas shall be sited and designed to prevent impacts which would significantly degrade such areas and shall be compatible with the continuance of such habitat areas.***

**Compliance:** The Program has been sited and designed, in consultation with the California Department of Fish and Wildlife and the project biologist, retained by the City, to prevent impacts to the Kehoe Watercourse, riparian vegetation, and other potentially important biological resources. The Program incorporates resource avoidance measures and monitoring and reporting requirements that allow the Program to adapt to changing baseline conditions, over time, based on scientific evidence. The Program will not disrupt the habitat value of the property, consequently, the program is consistent with the LUP.

**Policy 7-1:** *The City will establish regulations to protect the scenic corridor of Highway 1, including setbacks for new development, screening of commercial parking and landscaping associated with new development. The minimum standards shall include all areas within 200 yards of State Highway 1 which are visible from the road.*

**Compliance:** The project is located within 200 yards of State Highway 1 and is visible from the highway. The segment of Highway 1 that is within Half Moon Bay, is not designated as a Scenic Highway. Additionally, no new structures, grading or other visually disruptive activities are proposed. The program includes protocols to ensure that the site will not be overgrazed. Goat grazing would be consistent with the rural agricultural character of the site.

**Policy 7-11:** *New development along primary access routes from Highway 1 to the beach, as designated on the Land Use Map, shall be designed and sited so as to maintain and enhance the scenic quality of such routes, including building setbacks, maintenance of low height of structures, and landscaping which establishes a scenic gateway and corridor.*

**Compliance:** Bev Cunha's Country Road terminates at the SAM sewage plant. It is not an access route to any beaches. No new structures or other development is proposed.

**Coastal Act 30244:** *Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.*

**Compliance:** The site is identified in the LUP as a potentially sensitive archaeological resource area. The Program consists of temporary goat grazing. No grading or construction is proposed. Grazing is consistent with the historic agricultural uses of this area and is not expected to adversely affect archaeological resources.

2. **Growth Management System** – *The development is consistent with the annual population limitation system established in the Land Use Plan and Zoning Ordinance.*

**Evidence:** The Program does not include the construction of new structures and will not induce population growth.

3. **Zoning Provisions** – *The development is consistent with the use limitations and property development standards of the base district as well as the other requirements of the Zoning Ordinance.*

**Evidence:** The purpose of the U-R zoning designation is to allow the continued use of these lands for agricultural uses and to prevent premature development. The vegetation management program is required by the Coastside Fire District and State law to reduce the risk of fire damage to neighboring residential properties. In this case, goat grazing is the least environmentally intrusive way to comply with these legally mandated requirements. The grazing will be temporary, lasting a few weeks annually. Consequently, the Program is similar to other permitted uses and is consistent with the requirements of the zoning code.

4. **Adequate Services** – *The proposed development will be provided with adequate services and infrastructure in a manner that is consistent with the Local Coastal Program.*

**Evidence:** No development is proposed. Consequently, the Program will not require the provision of additional public facilities or services.

5. **California Coastal Act** – *Any development to be located between the sea and the first public road parallel to the sea conforms to the public access and public recreation policies of Chapter 3 of the California Coastal Act.*

**Evidence:** The proposed development is not located between the sea and the first public road parallel to the sea. Access to the site is provided by Bev Cunha's Country Road, which terminates at the wastewater treatment plant. The nearest formal public access to the beach is the Coastal Trail and the access road into Half Moon Bay State Beach. The program will not affect coastal access.

6. **Architectural Site and Design Review**-The subject property is undeveloped. No new structures, road or other permanent improvements are proposed. Temporary portable electrical fencing will be installed for the duration of grazing activities and will then be removed from the site. Architectural and Site Design Review is not applicable to this project.

**EXHIBIT B**  
**CONDITIONS OF APPROVAL**  
**Community Development Director Resolution CDR-18-XXX**

**PDP-010-14**

Authorization: Approval of this Coastal Development Permit authorizes implementation of the Vegetation / Fire Fuel Reduction Management Program on APN: 048-240-040, for a period of five years.

**A. The following Conditions shall apply to the Vegetation Management / Fuel Reduction Program:**

1. CONFORMANCE WITH APPROVED PLANS. Vegetation management activities shall conform to the approved Program, revised and submitted to the City on October 10, 2018, except for any revisions required by this permit. The Community Development Director shall review and may approve any deviation from the approved plans that is determined minor in nature. Any other change shall require the submittal of a major modification application and fees and shall be subject to a public hearing as required by Title 18. (Planning)
2. CONFORMANCE WITH CONDITIONS OF APPROVAL. The permittee shall operate this Program in full conformance with these Conditions of Approval. The Community Development Director shall review and may approve any deviation from the Conditions of Approval that is determined minor in nature. Any other change shall require the submittal of a major modification application and fees and shall be subject to a public hearing as required by Title 18. (Planning)
3. CONFORMANCE WITH THE MUNICIPAL CODE. No part of this approval shall be construed to permit a violation of any part of the Half Moon Bay Municipal Code. (Planning)
4. PERMIT REVIEW. The Vegetation Management Program shall be subject to Community Development Director review after the fifth year of grazing operations. At that time, the Director will review the annual monitoring reports and other evidence that is deemed necessary. Based on this information, the Director may extend the Program for an additional term or permanently, subject to additional modifications or requirements that may be deemed necessary to protect coastal resources.

**B. The following Conditions shall be fulfilled prior to commencement of Program activities**

1. SIGNED CONDITIONS OF APPROVAL. The applicant/owner shall submit a signed copy of the conditions of approval to the Planning Division.
2. REQUIRED PROGRAM REVISIONS. The Community Development Director may require the submittal of a revised Program based on comments received prior to or during the hearing.

**C. The following conditions shall be implemented prior to and during staging and grazing activities:**

1. Grazing Season. Grazing shall be limited to the dry season, generally June 15 through October 31, when the likelihood of special status species presence will be at its lowest. A qualified biologist will determine the optimum grazing period, within this window, based on site conditions and field observations.
2. Riparian Buffer. A 50 foot wide buffer shall be maintained from the southerly edge of riparian vegetation associated with the Kehoe Watercourse. The buffer shall be staked by a qualified biologist, prior to the commencement of grazing activities. The biologist may also limit grazing in areas outside of the 50 foot buffer, if deemed necessary to protect sensitive habitat or special status species. The buffer area shall be fenced to prevent grazing. This will be done in consultation with Coastside Fire Protection District staff, to ensure adequate fire protection of nearby residential properties.
3. Fencing. Temporary fencing that provides a mild electrical shock may be used to prevent goats from entering environmentally sensitive areas. Typical fencing consists of one to three strands of wire, mounted on posts, high enough to stop goats and similarly sized mammals. The fence shall be designed to allow smaller mammals and other species to pass under the wires freely. The electrical current shall be limited to a level that ensures that the shock will not injure or kill. Additionally, amphibian and reptile exclusionary fencing may be used if determined to be appropriate by a qualified biologist, to prevent these species from entering the grazing area.
4. Biological Resource Survey. Not more than 48 hours prior to commencing grazing or staging activities, a qualified biologist, possessing a valid scientific collecting permit from the CDFW, shall conduct a daytime site survey to assess the potential for California Red Legged Frog (CRLF) and San Francisco Garter Snake (SFGS). The biologist shall also look for areas with burrows or aquatic/wetland habitat within the vegetation management area. If any individuals of these species are observed, work will stop and CDFG and the U. S. Fish and Wildlife Service (USFWS) will be notified and consultations initiated.
5. Staging Area. Vehicle use, parking and materials storage is limited to paved areas or the gravel parking area on the adjacent SAM wastewater treatment plant property.

6. Grazing. Vegetation management activities shall be consistent with the protocols for weed abatement projects developed in consultation with the California Department of Fish and Wildlife in the memorandum San Francisco Garter Snake and California Red Legged Frog Survey Protocol for Weed Abatement Projects, Sewer Authority Mid-Coastside, dated April 2008; and, further developed in the Sewer Authority Mid-Coastside Parcel Coastal Resource Conservation Biological Report, prepared by H. T. Harvey and Associates, dated July 22, 2015. The Program is limited to grazing, no mechanized equipment or herbicides shall be used. Protocols that were based on the proposed use of mechanized equipment may be modified. The project biologist may adjust the grazing protocols annually, based upon changing baseline conditions to improve fire protection while avoiding overgrazing, maximizing removal of non-native invasive plants and minimizing adverse effects to plant communities that may provide habitat for wildlife. A minimum average vegetation height of no less than six inches shall be maintained.
7. Monitoring and Reporting. Annually, after the conclusion of grazing and prior to commencement of grazing the following year, the biologist shall prepare a report documenting site conditions, including any beneficial or negative effects of grazing on plant communities and habitat value. The report shall include the dates of activities, survey results and recommendations to improve the Program. If appropriate, the biologist may recommend changes to vegetation management activities. Recommended changes will be subject to approval by the Sewer Authority Mid-Coastside and the Half Moon Bay Community Development Director.
8. ARCHAEOLOGY-DISCOVERY OF RESOURCES. If subsurface historic or archaeological resources are uncovered during construction, all work shall stop, the applicant shall notify the Community Development Director and retain a qualified archaeologist to perform an archaeological reconnaissance and identify any mitigation measures required to protect archaeological resources. Subsurface excavation shall not resume until expressly authorized by the Director.

#### **D. Validity and Expiration of Permits**

1. EFFECTIVE DATE. The site is located within the Coastal Commission Appeals Jurisdiction. This approval shall take effect after expiration of all City and Coastal Commission appeal periods.
2. HOLD HARMLESS. The permittee agrees as a condition of approval of this application to indemnify, protect, defend with counsel selected by the City, and hold harmless, the City, and any agency or instrumentality thereof, and its elected and appointed officials, officers, employees and agents, from and against an and all liabilities, claims, actions, causes of action, proceedings, suits, damages, judgments, liens, levies, costs and expenses of whatever nature, including reasonable attorney's fees and disbursements (collectively, "Claims") arising out of

or in any way relating to the approval of this application, any actions taken by the City related to this entitlement, any review by the California Coastal Commission conducted under the California Coastal Act Public Resources Code Section 30000 et seq., or any environmental review conducted under the California Environmental Quality Act, Public Resources Code Section 210000 et seq., for this entitlement and related actions. The indemnification shall include any Claims that may be asserted by any person or entity, including the permittee, arising out of or in connection with the approval of this application, whether or not there is concurrent, passive or active negligence on the part of the City, and any agency or instrumentality thereof, and its elected and appointed officials, officers, employees and agents. The permittee's duty to defend the City shall not apply in those instances when the permittee has asserted the Claims, although the permittee shall still have a duty to indemnify, protect and hold harmless the City.

**OWNER'S/PERMITTEE'S CERTIFICATION:**

I have read and understand and hereby accept and agree to implement the foregoing conditions of approval of the Coastal Development Permit.

APPLICANT:

\_\_\_\_\_

(Signature)

\_\_\_\_\_

(Date)

OCT 10 2018

**Sewer Authority Mid-Coastside**

1000 Cabrillo Hwy N.  
Half Moon Bay, CA 94019  
(650) 726-0124  
[www.samcleanswater.org](http://www.samcleanswater.org)



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Montara Water and Sanitary District

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**Sewer Authority Mid-Coastside  
Fire Fuel and Invasive Weed Reduction Program**

**Background**

The Sewer Authority Mid-Coastside (SAM) is proposing a vegetation management program (Program) for parcel (APN 048-240-040), located on Bev Cunha's Country Road, within the City of Half Moon Bay. (Figure 1, Location Map) The parcel is undeveloped and is adjacent to a fully developed residential subdivision. The Program is required by the Coastside Fire Protection District to reduce the fire threat to the adjacent residential properties.

The Program, as originally proposed, included two primary components: 1) The extensive use of mechanized equipment including mulching mowers, weed-eaters, chainsaws and other hand-held equipment; and 2) Goat grazing as an option. Due to the extensive use of mechanized equipment and proximity to designated environmentally sensitive habitat area (ESHA) it was determined that a Coastal Development Permit (CDP) would be required. The City of Half Moon Bay (City) is the designated entity responsible for processing CDP applications for projects within the City boundary. At the City's direction H.T. Harvey and Associates prepared a biological assessment of the Program (Sewer Authority Mid-Coastside Parcel Coastal Resource Conservation Biological Report). The report was circulated, by the City of Half Moon Bay, for review by resource agencies and the California Coastal Commission. Based on comments, the report was revised. The revised edition is dated July 22, 2015. The report concluded that the Program, with the implementation of appropriate avoidance and mitigation measures would not cause significant impacts to biological resources. However, the use of mechanized equipment was determined to be the primary cause of potential impacts and the need for mitigation measures. Consequently, SAM has modified the Program to rely entirely on grazing. This approach is less environmentally intrusive, reduces potential adverse impacts substantially and is expected to result in beneficial effects by removal of nonnative invasive plant species that have degraded the habitat potential of native plant communities.

The revised Program incorporates resource avoidance measures and monitoring and reporting requirements that allow the Program to adapt to changing baseline conditions, over time, based on scientific evidence.

**Project Description**

The vegetation management activities will be undertaken on a portion of the approximately 9.5 acre undeveloped parcel. The area subject to vegetation management will typically be less than half of the parcel. Vegetation management activities will not be conducted within

## S.A.M. Goat Grazing Vegetation Management Program

the Kehoe Watercourse or a 50-foot buffer zone measured from the edge of riparian vegetation. The Program will be limited to a few weeks, during the dry season (June 15 through October 31) when potential impacts will be minimized to the greatest extent. The Kehoe Watercourse and the isolated single, parameter, seasonal wetlands on the upland portions of the site are typically dry in the summer months and the potential for the California Red Legged Frogs (CRLF) and San Francisco Garter Snakes (SFGS) to utilize the site for foraging or dispersal activities has been determined to be low when water is not present.

The grazing area and duration may vary from year to year, depending on changing site conditions. A qualified biologist will determine the appropriate parameters, annually, prior to commencement of grazing. Goats and in some cases a mix of goats and sheep will be brought to the site and allowed to graze in fenced areas, that will optimize fire risk reduction, removal of non-native invasive plants and protection of environmentally sensitive areas. Mechanized equipment and pesticides will not be used.

Goats will be monitored and herded to different areas to ensure that they do not overgraze vegetation. Temporary fencing that provides a mild electrical shock will be used to prevent goats from entering environmentally sensitive areas. Typical fencing consists of one to three strands of wire, mounted to posts, high enough to stop goats and similarly sized mammals. Smaller mammals and other species may pass under the wires freely. The electrical current is limited to a level that ensures that the shock will not injure or kill. It is a safe, proven, well established tool for controlling animal movements by establishing a psychological barrier through conditioned response. Additionally, amphibian and reptile exclusionary fencing may be used if determined to be appropriate by a qualified biologist, to prevent these species from entering the grazing area.

A qualified biologist will perform a daytime survey, prior to commencement of vegetation management activities and mark environmentally sensitive areas where grazing will not be allowed; or, will be subject to limitations including daily monitoring. Additionally, the biologist will report baseline conditions and recommendations to improve the project annually to SAM and the City of Half Moon Bay.

### **Program Protocols**

To ensure that the Program will not cause adverse impacts to the environment the following measures are incorporated into the Program.

1. Grazing Season. Grazing will only occur in the dry season, June 15 through October 31, when the likelihood of special status species presence will be at its lowest. A qualified biologist will determine the optimum grazing period, within this window, based on site conditions and field observations.
2. Riparian Buffer. A 50-foot wide buffer will be maintained from the southerly edge of riparian vegetation associated with the Kehoe Watercourse. The buffer will be staked by a qualified biologist, prior to the commencement of grazing activities. The biologist may also limit grazing in areas outside of the 50-foot buffer, if deemed necessary to protect sensitive habitat, special status

S.A.M. Goat Grazing Vegetation  
Management Program

species, or concentrations of native vegetation. The buffer area will be fenced to prevent grazing. This will be done in consultation with Coastside Fire Protection District staff, to ensure adequate fire protection of nearby residential properties.

3. Fencing. Temporary fencing that provides a mild electrical shock will be used to prevent goats from entering environmentally sensitive areas. Typical fencing consists of one to three strands of wire, mounted on posts, high enough to stop goats and similarly sized mammals. Smaller mammals and other species may pass under the wires freely. The electrical current is limited to a level that ensures that the shock will not injure or kill. It is a safe, proven and well established tool for controlling animal movements by establishing a psychological barrier through conditioned response. Additionally, amphibian and reptile exclusionary fencing may be used if determined to be appropriate by a qualified biologist, to prevent these species from entering the grazing area.
4. Biological Resource Survey. Not more than 48 hours prior to commencing grazing or staging activities, a qualified biologist, possessing a valid scientific collecting permit from the CDFW, will conduct a daytime site survey to assess the potential for California red legged frog (CRLF) and San Francisco garter snake (SFGS). The biologist will also look for areas with burrows or aquatic/wetland habitat within the vegetation management area. If any individuals of these species are observed, work will stop and California Department of Fish and Wildlife and the U. S. Fish and Wildlife Service (USFWS) will be notified and consultations initiated. This survey may be conducted concurrently with the buffer determination provided that it is conducted no more than 48 hours prior to commencement of the Program.
5. Staging Area. Vehicle use, parking and materials storage will be limited to paved areas or the gravel parking area on the adjacent SAM wastewater treatment plant property.
6. Grazing. Vegetation management activities will be consistent with the protocols for weed abatement projects developed in consultation with the California Department of Fish and Wildlife in the memorandum San Francisco Garter Snake and California Red Legged Frog Survey Protocol for Weed Abatement Projects, Sewer Authority Mid-Coastside, dated April 2008; and, further developed in the Sewer Authority Mid-Coastside Parcel Coastal Resource Conservation Biological Report, prepared by H. T. Harvey and Associates, dated July 22, 2015. Those protocols anticipated the use of mechanized equipment and/or grazing. The program will now be limited to grazing, a less environmentally intrusive approach. Consequently, the project biologist may adjust the protocols annually, based upon changing baseline conditions to improve fire protection while avoiding overgrazing, maximizing removal of non-native invasive plants and minimizing adverse effects to plant communities that may provide habitat for wildlife species. However, a minimum average vegetation height of no less than six inches will be maintained.
7. Monitoring and Reporting. Prior to commencing annual grazing, the biologist will document site conditions and if appropriate recommend changes to vegetation management activities. A report will be prepared annually and submitted to SAM and the City of HMB documenting any beneficial or negative effects to habitat and proposed changes to vegetation management activities. The report will include the dates of activities, survey results and recommendations to improve the Program.



S.A.M. Goat Grazing Vegetation  
Management Program

**Figure 1. Location Map**







**H.T. HARVEY & ASSOCIATES**

Ecological Consultants



**Sewer Authority Mid-Coastside Parcel  
Coastal Resource Conservation  
Biological Report**

Project # 3563-02

Prepared for:

Ms. Carol Hamilton  
**City of Half Moon Bay**  
501 Main Street  
Half Moon Bay, California 94019

Prepared by:

**H.T. Harvey & Associates**

22 July 2015



**H.T. HARVEY & ASSOCIATES**

Ecological Consultants

**SEWER AUTHORITY MID-COASTSIDE PARCEL  
COASTAL RESOURCE CONSERVATION  
BIOLOGICAL REPORT**

Prepared by:

**H.T. Harvey & Associates**

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22 July 2015

Project No. 3563-02

# Table of Contents

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Section 1.0	Introduction.....	1
Section 2.0	Survey Methodology.....	3
Section 3.0	Environmental Setting .....	5
3.1	Vegetation.....	5
3.2	Wildlife .....	7
Section 4.0	Special-status Species.....	8
4.1	Rare and Endangered Animal Species .....	8
4.1.1	California Red-legged Frog.....	8
4.1.2	San Francisco Garter Snake.....	9
4.1.3	Other Special-status Wildlife .....	10
4.2	Rare and Endangered Plant Species .....	11
4.3	Unique Species.....	12
4.3.1	Unique Animal Species.....	12
4.3.2	Unique Plant Species .....	12
Section 5.0	Regulated Habitats.....	14
5.1	Coastal Resources.....	14
5.1.1	Sensitive Habitat Areas.....	14
5.1.2	Riparian Areas and Buffer.....	14
5.1.3	Wild Strawberry Habitat.....	15
5.1.4	Wetlands and Waters .....	15
Section 6.0	Potential Impacts .....	17
6.1	Impacts Found to Be Less Than Significant.....	17
6.1.1	Potential Impacts to Upland Habitat for California Red-legged Frogs and San Francisco Garter Snakes .....	17
6.1.2	Potential Impacts to Other Special-status Wildlife.....	17
6.1.3	Potential Impacts to Monterey Pines.....	18
6.1.4	Potential Impacts to Wild Strawberry Habitat.....	18
6.2	Impacts Found to Be Less Than Significant With Mitigation .....	18
6.2.1	Potential Impacts to CCC Seasonal Wetlands.....	18
6.2.2	Potential Impacts Related to the Spread or Introduction of Weed Species .....	19
6.2.3	Potential Impacts to Riparian Areas and Buffer .....	19
6.2.4	Potential Impacts to Aquatic Habitat for California Red-legged Frogs and San Francisco Garter Snakes .....	19
6.2.5	Potential Impacts to Individual California Red-legged Frogs and San Francisco Garter Snakes ....	20
6.2.6	Potential Impacts to Raptors.....	20
Section 7.0	Mitigation and Zoning Code Measures.....	22
7.1	Mitigation Measures to Avoid and Minimize Impacts Related to Weed Introduction and Spread.....	22
7.2	Mitigation Measures to Avoid and Minimize Impacts to CCC Wetland Habitat, Aquatic Habitat for California Red-legged Frogs and San Francisco Garter Snakes, Riparian Areas, and the Riparian Buffer Zone.....	22
7.3	Mitigation Measures to Avoid and Minimize Impacts to Individual California Red-legged frogs and San Francisco Garter Snakes .....	23
7.4	Potential Measures to Avoid and Minimize Impacts to Nesting Birds .....	25

Section 8.0 Monitoring and Reporting Program ..... 26  
Section 9.0 Literature Cited..... 27

## Figures

Figure 1. Vicinity Map..... 4  
Figure 2. Coastal Resources ..... 13

## Appendices

Appendix A. Photos.....A-1

## Section 1.0 Introduction

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It is our understanding that Sewer Authority Mid-Coastside (SAM) is proposing a vegetation management project (project) on the SAM parcel (hereafter referred to as “site”; APN 048-240-040) for fire prevention purposes. This document provides information on the biological resources within the boundaries of the site, in accordance with the City of Half Moon Bay Zoning Code Chapter 18.38 *Coastal Resource Conservation Standards*. The purpose of this document is to: 1) identify and describe sensitive species and habitat areas; 2) identify significant impacts to identified biological resources on the site that would result from the proposed project; 3) recommend feasible measures to mitigate any significant impacts and to protect the identified biological resources; and 4) propose a monitoring and reporting program to ensure that development conditions imposed are adequately carried out and that significant impacts to biological resources have not occurred.

The project site is located in the City of Half Moon Bay, in San Mateo County, California (Figure 1). The parcel is bounded by SAM’s water pollution control and treatment plant (wastewater treatment plant) to the southwest, Cabrillo Highway to the northeast, the Kehoe Watercourse and Kehoe Estates to the northwest, and the Ferita Vasques Tract to the southeast. The property, located just inland from the mouth of Pilarcitos Creek and the extensive willow riparian and wetland habitat that the creek supports, is 700 feet (ft) southeast of the intersection of Pilarcitos Creek and the sand-dominated coastal strand. The 9.6 acre (ac) site comprises non-native annual grassland, northern coastal scrub, and willow riparian scrub associated with the Kehoe Watercourse, which runs along the entire northern border of the site. The Kehoe Watercourse is a steeply-incised channelized remnant of a natural stream of approximately 10-15 ft in width that carries storm and nuisance water flows in a southwesterly direction to its confluence with Pilarcitos Creek, which flows for an additional 780 ft before meeting the coastal strand and draining into the Pacific Ocean.

Weed abatement activities are proposed to occur on an annual basis during the dry season (June 15 through October 31) in conformance with the requirements of the Coastside Fire Protection District. Weed abatement activities are not proposed within the Kehoe Watercourse or the 50-foot Kehoe Watercourse buffer zone (see Figure 2). The weed abatement will involve one or both of the following methods:

- 1) Goats will be located on the project site temporarily to reduce the height of vegetation through grazing in the areas proposed for weed abatement. Goats will be fenced, using electric fencing, so that they do not enter sensitive areas of the project site located outside of the proposed weed abatement area and will be monitored and moved around the site to ensure that they do not overgraze and create areas of bare soil; and/or
- 2) The areas of the project site proposed for weed abatement will be mowed using a mulching mower and/or weed-eaters, chain saws, and other hand-held equipment as directed by the project biologist. The mower will chop vegetation into a fine mulch and deposit it onto the ground. Hand-cut vegetation

that is not mulched will be deposited directly into a truck for removal from the project site. Weed abatement will not involve disking or other ground-disturbing activities.

H. T. Harvey & Associates biologists conducted reconnaissance-level surveys of the property to identify the potential biotic constraints that may need to be addressed during the planning, permitting, and implementation of the project.

Constraints to weed abatement activities could include the presence of biotic resources regulated by the California Department of Fish and Wildlife (CDFW), the U.S. Army Corps of Engineers (USACE), the Regional Water Quality Control Board (RWQCB), and/or the California Coastal Commission (CCC), as well as special-status species that are protected by state and/or federal law. The site is within the Coastal Zone of San Mateo County, and thus within the jurisdiction of the CCC. Coastal Resources in the City of Half Moon Bay are managed through the City's CCC-approved Local Coastal Program Land Use Plan (LCP), and this report was prepared in accordance with the LCP's requirements for biological reports.

## Section 2.0 Survey Methodology

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Prior to visiting the site, H. T. Harvey & Associates biologists reviewed a number of references in order to assess the occurrence and proximity of Coastal Resources as defined in the City of Half Moon Bay Zoning Code Chapter 18.38 *Coastal Resource Conservation Standards*, as well as other special-status species and regulated habitats, to the project site. These references included the CDFW's California Natural Diversity Database (CNDDDB) records for the Half Moon Bay quadrangle and the nine adjacent quadrangles (CNDDDB 2014), the California Native Plant Society (CNPS) rare plant inventory (CNPS 2014), aerial photographs showing the project site, and the LCP. In addition, they reviewed reports and environmental documents for nearby projects, including the Highway 1 Trail Improvement Phases 2–4 Project (H. T. Harvey & Associates 2010a) and the State Route 1-Calera Parkway project Natural Environment Study (H. T. Harvey & Associates 2010b), and also reviewed Kehoe Watercourse mitigation monitoring reports for the Sewer Authority Mid-Coastside (H. T. Harvey & Associates 2006, 2008, 2009).

A reconnaissance survey was conducted at the site on 20 February 2014 by H. T. Harvey & Associates plant ecologist Chris Gurney, M.S., and wildlife ecologist John Romansic, Ph.D. The survey was conducted by walking meandering transects across the entire site and all non-developed areas within 200 ft of the site. The purpose of the reconnaissance survey was to: 1) assess existing biotic habitats in the project area, 2) assess the site for its potential to support special-status species and their habitats, and 3) identify Coastal Resources and potential jurisdictional habitats including Waters of the U.S., CDFW-protected streams, and riparian habitats within the site boundaries. The predominant plant communities encountered within the proposed alignments were identified based on the classification system of Holland (1986). The *Jepson Manual*, second edition (Baldwin et al. 2012) was the primary taxonomic reference used to identify plant species occurring within the site.

A second site visit was performed on 20 March 2015 by senior plant ecologist Brian Cleary, M.S. The purpose of this survey was to map all areas of wetlands that may be claimed as jurisdictional by the California Coastal Commission. These included any area that showed evidence of hydric soils, wetland hydrology, or vegetation dominated by hydrophytic (water-loving) plant species.



N:\Projects\3500\3563-01\02\Reports\BA\Figure 1 Vicinity Map.mxd



**H.T. HARVEY & ASSOCIATES**  
Ecological Consultants

**Figure 1: Vicinity Map**  
**SAM Parcel Coastal Resource Conservation Biological Report (3563-02)**  
July 2015

## Section 3.0 Environmental Setting

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### 3.1 Vegetation

The majority of the site can be characterized as annual grassland and northern coastal scrub habitats. Vegetation on the site is typical of infill parcels near the coast. Non-native annual grasses and ruderal (disturbance-loving) forbs dominate the grassland (Photos 1-5). Wild oats (*Avena fatua*) and soft chess brome (*Bromus hordeaceus*) are the dominant species on the western portion of the site, although Italian ryegrass (*Festuca perennis*) forms dense stands closer to Cabrillo Highway. Harding grass (*Phalaris aquatica*), an invasive perennial bunchgrass, is also common on the site. No native grasses and only two native forbs, California poppy (*Eschscholzia californica*) and yarrow (*Achillea millefolium*), were observed during the 20 February site visit. As such, the grasslands on site are not expected to support the diverse flora typically associated with native coastal terrace prairie. Instead, robust introduced forbs such as fennel (*Foeniculum vulgare*), poison hemlock (*Conium maculatum*), bristly ox-tongue (*Helminthotheca echioides*), black mustard (*Brassica nigra*), field mustard (*Brassica rapa*), and wild radish (*Raphanus sativa*) occur throughout the grassland and form dense thickets in some areas. Small but dense infestations of iceplant (*Carpobrotus edulis*), periwinkle (*Vinca major*), and Pampas grass (*Cortaderia selloana*), all highly invasive non-native species, further degrade the habitat quality of grassland on site.

Seasonal wetlands on-site were mostly mapped based on vegetation, and though these areas did not meet the three-parameter USACE definition of wetlands (where the presence of all three parameters of wetland vegetation, soils, and hydrology must be present), these areas were consistent with the CCC definition, which only requires one of these parameters. These areas were dominated by combinations of poison hemlock (FAC<sup>1</sup>), bristly ox-tongue (FAC), common California aster (*Symphytotrichum chilense*; FAC), willow dock (*Rumex californicus*; FACW), curly dock (*Rumex crispus*; FAC), bog rush (*Juncus effusus*; FACW) and Mediterranean canary grass (*Phalaris paradoxa*; FAC). These wetland plant communities occur within depressional landscape positions and are fed by run-off draining to low points on the landscape. These areas were observed generally surrounding the Kehoe Watercourse, but also scattered across the site's uplands. An example is shown in Photo 16, where a low area is adjacent to a culvert in the road that forms the southeastern border of the site.

Disturbed northern coastal scrub has recolonized approximately 50 percent of the site (Photos 4-6). This scrub is dominated by coyote brush (*Baccharis pilularis*), with scattered individuals of California sagebrush (*Artemisia californica*), California coffeeberry (*Rhamnus californica* ssp. *californica*), and yellow bush lupine (*Lupinus arboreus*).

Landscaped habitat occurs along the northern boundary of the sewer facility. A row of mature Monterey cypress (*Hesperocyparis macrocarpa*) trees represent this habitat. Although Monterey cypress is native to the region, these trees have been planted from ornamental varieties, and do not represent a native stand. Also, two planted

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<sup>1</sup> Wetland indicator status as per the Final Wetland Plant List for the *Regional Supplement to the Corps' of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region Version 2.0* (USACE 2010) and the accompanying *2014 Wetland Indicator Plant List* (Lichvar et al. 2014).

Monterey Pine (*Pinus radiata*) occur on the site. Because they are a unique plant species, a discussion of these trees is presented below in section 4.3.2.

The highest-quality habitat on site occurs in the vicinity of the Kehoe Watercourse. Willows dominated by mature arroyo willow (*Salix lasiolepis*) occupy the majority of the riparian habitat along the Kehoe Watercourse (Photos 7, 8). California blackberry (*Rubus ursinus*) is also common along the ditch and forms dense thickets in some areas (Photo 9). However, the riparian habitat is also heavily degraded by noxious weeds. English ivy (*Hedera helix*) and Cape ivy (*Delarea odorata*), both non-native, invasive vines are common in the willow riparian understory (Photo 10). Poison hemlock and periwinkle further degrade habitat quality along the riparian habitat. Near the middle of the parcel, willow riparian habitat extends to the southeast from the ditch, which runs from the northeast to the southwest, in a distinct, narrow band; however, no watercourse appears to be currently associated with this extension.

Vegetation composition and density within the Kehoe Watercourse channel varies depending on canopy cover. In areas with dense canopy cover, the channel is dominated by invasive ivy and supports little to no wetland vegetation (Photo 11). Where canopy cover is sparse or absent, the channel supports extensive, disturbance-tolerant emergent aquatic vegetation (Photos 12-14). Common wetland species occurring in the channel include watercress (*Nasturtium officinale*), beggarticks (*Bidens pilosa*), and water smartweed (*Persicaria amphibia*). Wetland vegetation also occurs within a second, smaller drainage ditch that runs for approximately 170 ft along the frontage road at the northeastern site boundary and drains into the Kehoe Watercourse (Photo 15). This vegetation is ruderal in nature and is dominated by tall flatsedge (*Cyperus eragrostis*), with bristly ox-tongue and curly dock (*Rumex crispus*).

There are additional wetland and riparian habitats within 200 ft of the site. At the northeastern corner of the site, the Kehoe Watercourse extends approximately 75 ft to the northeast, where it connects with a culvert under the frontage road before continuing under a bridge on Naomi Partidge Trail into a culvert under Highway 1. This portion of the Kehoe Watercourse contains vegetation similar to the open areas of the ditch on the site (Photos 17, 18). Also, a shallow ditch containing manicured grass runs for about 175 ft in between the frontage road and Naomi Patridge Trail and drains southeast into the Kehoe Watercourse. This ditch did not contain hydrophytic vegetation and appeared to only support surface water during and immediately following rain events. Another shallow ditch runs for approximately 100 ft along the southeast side of the road that forms the southeast border of the site and contains a mixture of disturbance-tolerant emergent aquatic vegetation and annual grassland plant species (Photo 19). This ditch is expected to hold water during the rainy season (generally, 15 October to 31 May) in years of average or above precipitation, but appears to dry completely during the dry season (generally, 1 June to 14 October). Southwest of the site, the Kehoe Watercourse enters a wetland of about 5 ac that also contains an approximately 600-ft section of Pilarcitos Creek (Photos 20, 21). This wetland is dominated by riparian willows, but also contains extensive understory vegetation including common cattails (*Typha latifolia*) (Photo 22). During the 20 February 2014 site visit, this wetland and Pilarcitos Creek supported 6-12 inches of standing water, however, no standing or flowing water was observed on the site.

## 3.2 Wildlife

Riparian habitats, such as the willow riparian habitat on-site, are an important resource for resident and migratory wildlife. The presence of wetlands and abundant invertebrate fauna provide foraging opportunities, and the diverse habitat structure provides cover and nesting opportunities. Riparian vegetation provides habitat for a high diversity of wintering and migrating birds, such as ruby-crowned kinglets (*Regulus calendula*) and yellow-rumped warblers (*Dendroica coronata*), and breeding habitat for neotropical migrants that breed in the region, including warbling vireos (*Vireo gilvus*), orange-crowned warblers (*Vermivora celata*), and Wilson's warblers (*Wilsonia pusilla*). The dense understory of blackberry found here likely supports a variety of small mammals, reptiles, and amphibians, including deer mice, garter snakes (*Thamnophis* spp.), and Sierran chorus frogs (*Pseudacris sierra*).

The grasslands on the project site are of relatively low value to wildlife. Some bird species, such as savannah sparrows (*Passerculus sandwichensis*), western meadowlarks (*Sturnella neglecta*), American pipits (*Anthus rubescens*), white-crowned sparrows (*Zonotrichia leucophrys*) and barn swallows (*Hirundo rustica*) may occasionally forage here, but it is unlikely that any birds nest in this habitat on-site. Several species of small mammals such as deer mice (*Peromyscus maniculatus*), California voles (*Microtus californicus*) and Valley pocket gophers (*Thomomys bottae*) are likely to occur here, providing a prey base for foraging raptors, such as red-tailed hawks (*Buteo jamaicensis*). Burrows of pocket gophers and California voles (Photos 23, 24) were observed scattered throughout the grasslands. In addition, western fence lizards (*Sceloporus occidentalis*), gopher snakes (*Pituophis melanoleucus*), garter snakes, and other reptiles are also likely to occur in this habitat.

Adjacent coastal scrub habitat provides greater structural diversity than grasslands, and greater foraging opportunities. Birds such as California towhees (*Melospiza crissalis*), wrentits (*Chamaea fasciata*), and Bewick's wrens (*Thryomanes bewickii*) may nest in this habitat. The dense scrub likely provides cover for brush rabbits (*Sylvilagus bachmani*), and potentially for San Francisco dusky-footed woodrats (*Neotoma fuscipes annectens*), although no woodrat nests were observed during the site visit. Several species of reptiles may occur here, including fence lizards, northern alligator lizards (*Elgaria coeruleus*), and gopher snakes.

## Section 4.0 Special-status Species

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Based on background information, locations of known occurrences, and habitats on-site, several special-status species have been determined to potentially occur on the project site. Two federally-listed wildlife species, the California red-legged frog (*Rana draytonii*) and the San Francisco garter snake (*Thamnophis sirtalis tetrataenia*), may occur on the site. The Kehoe Watercourse, bordering the site to the north, does not retain water year-round, and does not support deep enough pools to provide breeding habitat for California red-legged frogs. However, the channel and surrounding terrestrial habitat on-site could serve as potential nonbreeding habitat for dispersing or foraging California red-legged frogs. Therefore, the site has been designated an Environmentally Sensitive Habitat Area (ESHA) under the City's LCP. In addition, several California Species of Special Concern (CSSC) may occur on the project site. Special-status species are discussed below, followed by a discussion of regulatory issues.

The Kehoe Watercourse flows into a wetland southwest of the site and connects with Pilarcitos Creek, which is known to support breeding populations of California red-legged frogs and foraging opportunities for San Francisco garter snakes (CNDDDB 2014). The creek also supports several fish species, including steelhead (*Oncorhynchus mykiss*) (ENTRIX 2006). The Central California Coast evolutionarily significant unit (ESU) of this anadromous salmonid is federally listed as threatened. Adult steelhead migrate upstream in winter months, when adequate flows allow passage to upstream areas. This typically occurs between December and March. Juvenile steelhead remain in the creek system for one to three years before migrating to the ocean. Although steelhead can occur in Pilarcitos Creek year-round, it is extremely unlikely that any individual would venture up the Kehoe Watercourse. The flow in the Kehoe Watercourse is seasonal and ephemeral, there is no suitable spawning habitat, and there is no access to better habitat upstream via the Kehoe Watercourse. Steelhead are therefore considered absent from the project site.

### 4.1 Rare and Endangered Animal Species

#### 4.1.1 California Red-legged Frog

The California red-legged frog is federally listed as threatened, and is listed by the state as a CSSC. California red-legged frogs occur primarily in and near aquatic habitats, but are also found in several types of aquatic and terrestrial habitats, including in areas of riparian vegetation, willow root wads, and under debris away from riparian areas (Jennings and Hayes 1994). California red-legged frogs breed from late November through early May, after the onset of warm rains, in ponds or still pools within streams typically more than 1.5 ft deep (Storer 1925, Hayes and Jennings 1986, Fellers 2005). After the breeding season is over, some adults stay at breeding sites and others disperse to other habitats (Fellers 2005). Eggs hatch approximately six to 14 days after fertilization, and the larvae usually metamorphose 3.5-7 months later, but larvae sometimes overwinter before metamorphosing (Fellers 2005). Adults are primarily insectivorous, although larvae are thought to eat algae and detritus (Hayes and Tennant 1985, Fellers 2005).

California red-legged frogs disperse to forage in a variety of aquatic habitats and can regularly occur in upland habitats up to 300 ft from aquatic habitats (Fellers and Kleeman 2007). During wet periods (especially in the winter and early spring months), California red-legged frogs can move long distances (*e.g.*, > 1 mi between aquatic habitats), often over areas that are considered to be unsuitable for frogs (*e.g.*, roads, open fields, croplands, etc.) (Bulger et al. 2003). Maximum dispersal distance through upland habitats is reported to be 1.25 mi or more (USFWS 2004). Red-legged frogs sometimes use small mammal burrows and other natural holes and cavities as refugia (Jennings and Hayes 1994).

California red-legged frog adults and larvae have been found at the Caltrans mitigation wetland adjacent to Pilarcitos Creek, about 100 ft south of the wastewater treatment plant, and at other sites on Pilarcitos Creek (CNDDDB 2014). The Kehoe Watercourse is not considered suitable for breeding because its topography does not support adequate pooling of water; it held no water during the 20 February 2014 site visit because of the scarcity of precipitation that had fallen at that point in the below-average rainy season, and the largest pools observed during a previous site visit in September 2005, after a rainy season of above-average precipitation, were less than one ft deep. Therefore, the section of the Kehoe Watercourse on the project site does not support pools deep enough to provide breeding habitat for California red-legged frogs. In addition, the Kehoe Watercourse is subject to flashy flows of primarily stormwater, which could result in scouring of amphibian egg masses, thus preventing successful breeding of California red-legged frogs if the species deposited eggs there. However, dispersal and foraging habitat for the species is present, as frogs from Pilarcitos Creek could disperse into the Kehoe Watercourse for foraging at any time of year. Because of the ephemeral nature of the ditch, and the lack of deep pools, the quality of the site as aquatic foraging habitat for California red-legged frogs is considered low.

California red-legged frog use of the site would not necessarily be restricted to the Kehoe Watercourse and associated riparian habitat. During preconstruction surveys and construction monitoring conducted by an H. T. Harvey & Associates herpetologist during mowing activities adjacent to the Kehoe Watercourse in 2006, 2008, and 2009, no red-legged frogs or garter snakes were found. However, two subadult California red-legged frogs were found at the south end of Pilarcitos Avenue near the Kehoe Watercourse in August and September of 2011 (CNDDDB 2014). It is therefore possible that California red-legged frogs could disperse throughout the entire site. California red-legged frogs should be considered potentially present (at least as dispersing individuals from the nearby breeding pond) within the Kehoe Watercourse and in upland habitats on the site.

#### **4.1.2 San Francisco Garter Snake**

The San Francisco garter snake is federally and state listed as endangered, and fully protected under the California Fish and Game Code. This species occurs almost exclusively in San Mateo County; it uses (and can breed in) a variety of vegetated habitats in and near water. Juveniles and adults have been found in natural lagoons, dune ponds, pools that are in or next to streams, streams, marshlands, sag ponds, and springs, as well as human-created stock ponds, canals, golf course ponds, irrigation ponds, sand and gravel pits containing water, and large reservoirs (Brode et al. 1994). Adjacent upland areas with abundant small mammal burrows are

important hibernation sites for snakes during the winter (Larsen 1994). San Francisco garter snakes prey primarily on amphibians, including California newts (*Taricha torosa*), and ranid frogs, such as the California red-legged frog (Wharton 1989, Barry 1994). The presence of ranid frogs as a prey base item is critical for the survival of San Francisco garter snakes; therefore, California red-legged frogs and/or bullfrogs (*Lithobates catesbeiana*), often in combination with dense populations of Sierran chorus frogs, are typically present in association with this snake species (Barry 1978).

Exact CNDDDB locations of San Francisco garter snakes are suppressed because of concern about illegal collection of the species. However, there are two CNDDDB records for the Half Moon Bay USGS quadrangle, both associated with Pilarcitos Creek. The presence of red-legged frogs at the Caltrans mitigation wetland near the wastewater treatment plant increases the likelihood that San Francisco garter snakes could occur along this portion of Pilarcitos Creek. If desired, the location of the SAM parcel can be provided to the CDFW, and the CDFW will provide information on the proximity of CNDDDB sightings.

San Francisco garter snakes can move into upland habitats during summer, to prey on amphibians aestivating in small mammal burrows (Barry 1993). They could potentially forage on amphibians in the Kehoe Watercourse, and disperse and/or aestivate anywhere on the site. San Francisco garter snakes should therefore be considered potentially present throughout the project site. However, because the Kehoe Watercourse does not contain pools deep enough to support breeding by California red-legged frogs or bullfrogs, the ditch and nearby upland habitats are not considered high-quality foraging habitat for San Francisco garter snakes because of the expected low number of individuals of these frog species on the site. Surveys could be conducted, which could potentially result in a finding that the species is absent from the site. No official protocol for surveys is available in written form, but the U.S. Fish and Wildlife Service (USFWS) approves qualified biologists to conduct standardized daily trapping surveys over several months during the spring to determine presence/absence of the species in an area.

#### 4.1.3 Other Special-status Wildlife

Three wildlife species listed as CSSC by CDFW could potentially occur on the site. These are species that may be uncommon or declining in California, or for which suitable habitat has been dramatically reduced, but which do not warrant immediate listing under the Federal or California Endangered Species Acts. CSSC species that could occur on the project site are the San Francisco common yellowthroat (*Geothlypis trichas sinuosa*), the San Francisco dusky-footed woodrat, and the western red bat (*Lasiurus blossevillii*). San Francisco common yellowthroats nest in salt marshes, in emergent freshwater vegetation, and in riparian habitats. There is a CNDDDB record of singing males of this species along Pilarcitos Creek near the wastewater treatment plant in 1988 and 1989, and this species is likely to nest in the dense riparian vegetation along Pilarcitos Creek. Saltmarsh common yellowthroats could also potentially nest in riparian habitat on the site.

San Francisco dusky-footed woodrats occur in wooded habitats, including riparian woodlands and coastal scrub with large woody shrubs. The dense coastal scrub habitat on the project site could provide suitable habitat for this species. It should be noted that no woodrat nests, which are large conspicuous piles of sticks, were observed

on the site during the field visit on 20 February 2014. Therefore, woodrats are likely absent, or may occur only as occasional dispersants.

Western red bats, as well as the more common hoary bat (*Lasiurus cinereus*), California myotis (*Myotis californicus*), and Yuma myotis (*Myotis yumanensis*), could potentially form roosts in the Monterey Cypress trees at the southwest end of the site during the nonbreeding season. However, the disturbance generated by the adjacent wastewater treatment plant and the absence of obvious cavities in trees that would provide roost sites reduces the likelihood of roosting bats being present in large numbers. Furthermore, the western red bat, the only one of these species that is a CSSC, does not breed in the region and would occur only as occasional migrants or wintering individuals.

In addition, the white-tailed kite (*Elanus leucurus*), which is not a CSSC but rather is listed as “Fully Protected” by the CDFW, could potentially occur on-site. This raptor species nests in trees and large shrubs and forages over grasslands and other similar habitats. There are no local records of breeding white-tailed kites, and none were observed during the February 2014 reconnaissance survey, but this species may forage on the site and could potentially nest on-site.

Although San Francisco common yellowthroats and white-tailed kites are potentially present on the site, neither of these species, nor any other special-status bird species, were observed during the site visit on 20 February 2014. The site visit was conducted during diurnal hours, and thus was not designed to check for the presence of bats.

## 4.2 Rare and Endangered Plant Species

Our biotic assessment focused on an assessment of habitat for all plant species listed as rare and endangered by the City of Half Moon Bay Zoning Code § 18.38.085, as well as rare and endangered plant species listed as special-status by the state and federal government and CNPS List 1B species that have the potential to occur in non-native grassland and seasonal wetland habitats within the project area.

A number of special-status plant species occur in coastal grassland and scrub habitats in the vicinity of the project area. These include coastal marsh milk-vetch (*Astragalus pycnostachyus* var. *pycnostachyus*), Blasdale’s bentgrass (*Agrostis blasdalei*), fragrant fritillary (*Fritillaria liliaceae*), San Francisco gumplant (*Grindelia hirsutula* var. *maritime*), San Francisco campion (*Silene verecunda* ssp. *verecunda*), San Francisco owl’s clover (*Tryphysaria floribunda*), Santa Cruz microseris (*Stebbinsoseris decipiens*), and Choris’s popcorn-flower (*Plagiobothrys chorisianus* var. *chorisianus*). However, none of these species are expected or were observed to occur on the site. Because of the highly disturbed nature of the vegetation on the site and the marginal quality of the site’s wetland habitats, only the most robust native species are expected to occur, and species associated with intact coastal terrace prairie and scrub are judged to be absent from the site. Furthermore, specific microhabitat variables which favor the occurrence of the above special-status plants do not occur on the site. Coastal marsh milk-vetch and choris’s popcornflower are associated with naturally mesic habitats which do not occur within the artificial

Kehoe Watercourse; San Francisco gumplant, fragrant fritillary and Blasdale's bentgrass are associated with sparsely-vegetated, rocky or sandy areas; and San Francisco champion and Santa Cruz microseris are associated with the loose soils of mudstone or shale slopes. Special-status plants are therefore considered to be absent from the site and no further surveys are recommended.

## 4.3 Unique Species

### 4.3.1 Unique Animal Species

**Raptors.** Raptors as a group are identified as unique animals in the City of Half Moon Bay Zoning Code and LCP, and a variety of raptor species are known or expected to occur in the area of the site. Raptors are found in a variety of habitats, most usually in open forests and woodlands or other open habitats providing both perches such as large trees, and foraging areas with good visibility. American kestrels (*Falco sparverius*), red-shouldered hawks (*Buteo lineatus*), and red-tailed hawks could forage in or near the site and perch in the Monterey pine and Monterey cypress trees on-site. Cooper's hawks (*Accipiter cooperi*), great horned owls (*Bubo virginianus*), and barn owls (*Tyto alba*) could also occupy these trees. Kestrels forage on large insects and small rodents; red-shouldered hawks and red-tailed hawks typically hunt for rodents but will also take reptiles, amphibians, and birds opportunistically. Cooper's hawks specialize in hunting small birds, particularly in riparian areas, although urban populations of Cooper's hawks are expanding. The hawks expected to occur in the site vicinity typically build large platform nests of sticks and branches in large trees; the exception is the American kestrel, which nests in tree cavities. Owls are also predators on a variety of rodent species; all of the owls likely to occur in the area of the site are cavity-nesting birds, except great horned owls, which nest in a variety of locations, typically in old nests of other large bird species. Some raptor species are highly migratory, but those expected to breed in the area of the site are typically resident species that occupy the same home range year-round, although additional birds may be in the area in winter. One of the Monterey pines and several of the Monterey cypress trees on-site are large enough that they could potentially provide nesting habitat for raptors.

### 4.3.2 Unique Plant Species

**Monterey Pine.** One Unique Plant Species, Monterey pine, identified in the City of Half Moon Bay Zoning Code and the LCP, occurs on-site. Two planted trees were identified on or immediately adjacent to the site (Figure 2). Native Monterey pines grow on thin, sandy soil along the immediate coast of southern and central California, but readily propagate in a variety of habitats. Although remaining native stands of Monterey pines are isolated to small patches in Southern San Mateo County (Año Nuevo State Park), the Monterey Peninsula, and areas surrounding the town of Cambria in northern San Luis Obispo County, planted Monterey pine trees are ubiquitous in urban and rural landscapes where they have been planted as ornamental trees or windbreaks. Future activities on the site could potentially disturb these trees. Please note that removal or trimming of trees with a diameter of 12 inches or more requires a Tree Removal Permit (a permit is also required if trimming will result in removal of more than 1/3 of the branches/foliage in a 12-month period). No tree removal or significant pruning is proposed as part of this project.



N:\Projects\3563-02\Reports\BA\Figure 2 Habitat and Impacts map.mxd

**LEGEND**

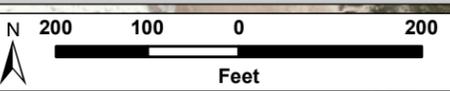
- Monterey Pine Tree
- - - Limit of 50 ft Buffer Zone
- ▭ Project Boundary
- - - 200 ft Buffer
- ▨ Area of Weed Abatement Activities

**Potentially Jurisdictional Wetlands and Waters**

- Riparian Wetland (4.39 ac)
- Seasonal Wetland (1.34 ac)
- Willow Riparian Scrub (2.15 ac)
- Ephemeral Stream (0.02 ac)
- Intermittent Stream (0.57 ac)
- Perennial Stream (0.28 ac)

**Upland**

- Landscaped (0.55 ac)
- Non-native Grassland (13.33 ac)
- Northern Coastal Scrub (2.52 ac)
- Developed (14.55 ac)



**Figure 2: Habitat and Impacts Map**  
 SAM Parcel Coastal Resource Conservation Biological Report (3563-02)  
 July 2015

## Section 5.0 Regulated Habitats

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### 5.1 Coastal Resources

#### 5.1.1 Sensitive Habitat Areas

The LCP defines Sensitive Habitat Areas (SHAs) using several criteria, among which are areas containing or supporting rare and endangered species as defined by the State Fish and Game Commission, and presence of riparian vegetation. The potential presence of California red-legged frogs and San Francisco garter snakes qualifies the site as potential habitat for rare and endangered species. Per the LCP, riparian habitats include all riparian vegetation associated with perennial and intermittent bodies of water, natural or man-made. The Kehoe Watercourse and the adjacent willow habitat thus meet the LCP's definition of riparian habitat, as confirmed by the City Council in its approval of an amendment to the LCP designating the site as ESHA on the city's Habitat Areas and Water Resources Map and Coastal Resource Areas Map.

During the site visit on 20 February 2014, all undeveloped habitats, including SHAs (defined according to the City of Half Moon Bay Zoning Code § 18.38.020), were mapped within 200 ft of the site (Figure 2). The sensitive habitats present within 200 ft of the site include riparian and wetland areas (willow riparian scrub and riparian wetland). In addition, the entire site should be considered as potentially containing or supporting rare and endangered species. As explained above, the Kehoe Watercourse and the site's upland habitats should be considered to potentially contain both California red-legged frogs and San Francisco garter snakes. The site's upland habitats also support two Monterey pines (Figure 2), defined as a unique species by the City's LCP. No sand dunes, marine habitats, sea cliffs, coastal tidelands, nesting habitat for water associated birds, shore habitats, rocky intertidal zones, coastal scrub associated with bluffs or gullies, or game or wildlife refuges or reserves occur within 200 ft of the site. Also, to the best of our knowledge, no areas within 200 ft of the site are used for scientific study and research on fish and wildlife.

#### 5.1.2 Riparian Areas and Buffer

The Kehoe Watercourse is potentially an intermittent stream, so the "area of land bordering", which contains willow riparian scrub habitat (Figure 2), likely contains a Riparian Area and Corridor, which the Zoning Code § 18.38.020 defines as:

Any area of land bordering a perennial or intermittent stream or their tributaries, or around a lake or other body of fresh water, including its banks and land at least up to the highest point of an obvious channel or enclosure of a body of water. Riparian corridors are the areas between the limits of riparian vegetation, where limits are determined by vegetative coverage, at least fifty percent of which is comprised of a combination of the following plant species: red alder, jaumea, pickleweed, big leaf maple, narrow-leaf cattail, arroyo willow, broadleaf

cattail, horsetail, creek dogwood, black cottonwood, and box elder...Man-made irrigation ponds having over two thousand five hundred square feet of surface area are exempt.

These areas bordering the Kehoe Watercourse have therefore been designated SHAs under the City's LCP. In addition, a Riparian Buffer Zone as defined for the Kehoe Watercourse, which should "extend from the 'limit of riparian vegetation'...30 ft outward for intermittent streams...and 30 ft from the midpoint of intermittent streams, where no riparian vegetation exists" (Zoning Code § 18.38.020), is within the project's 50 ft buffer zone where no vegetation management or other project activities is planned to occur (Figure 2) due to the potential for presence of California red-legged frogs and San Francisco garter snakes within the Kehoe Watercourse. The roadside drainage channel near the eastern boundary is an ephemeral drainage and lacks riparian habitat.

### 5.1.3 Wild Strawberry Habitat

According to Zoning Code § 18.38.020, wild strawberry habitat is defined as "any undeveloped areas within one half mile of the coast." The entire site, as well as all undeveloped land within 200 ft of the site, is located within one half mile (mi) of the high tide line and thus is considered wild strawberry habitat, although no wild strawberries (*Fragaria* spp.) were found during the site visit on 20 February 2014.

### 5.1.4 Wetlands and Waters

Wetlands and water features on the site are considered sensitive habitats by the CCC, and in some cases, also the USACE, RWQCB, and CDFW. These areas provide important habitat values and functions related to wildlife habitat, water quality, and groundwater recharge. The areas are distinguished by the presence of at least one wetland parameter (wetland vegetation, soils, or hydrology) and in some cases, these areas exhibit all three parameters. These are discussed in further detail below:

#### 5.1.4.1 CCC One- or Two-Parameter Wetlands

These areas consist of the seasonal wetlands shown on Figure 2. These areas exhibit wetland vegetation communities typical of features that receive seasonal inputs of water. In several cases, these wetlands occur within localized depressions, indicating evidence of wetland hydrology as well, although evidence of hydric soils was not observed and therefore these areas may not be claimed by the USACE or RWQCB. Areas along the site's southern border mapped as willow riparian scrub may also fit this definition, where such willows are not associated with a channel exhibiting regular flows.

#### 5.1.4.2 USACE/RWQCB Wetlands and Waters

The perennial, intermittent, and ephemeral stream channels mapped on site exhibit evidence of regular seasonal or perennial flows, and would likely be considered jurisdictional "other waters" of the U.S./State. Additionally, the riparian banks and associated willow riparian scrub canopy along these features (Figure 2) would be claimed as jurisdictional riparian habitat by both the RWQCB under the Porter Cologne Act and CDFW under Section 1600 of the State Fish and Game Code, which regulates riparian "bed and bank" habitat. In some cases, these

riparian areas also support full three-parameter wetlands, such as within the riparian wetlands associated with the perennial stream (Figure 2). All of these areas also meet the CCC definition of sensitive wetland habitats because they either evidence wetland hydrology (the streams) and/or wetland vegetation (riparian wetland and willow riparian scrub).

## Section 6.0 Potential Impacts

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### 6.1 Impacts Found to Be Less Than Significant

The following impacts to special-status species and/or their habitats from the project's vegetation management measures are considered to be less than significant for the conservation of the local populations of these species, as described below.

#### 6.1.1 Potential Impacts to Upland Habitat for California Red-legged Frogs and San Francisco Garter Snakes

The project's vegetation management measures are expected to remove a substantial amount of the plant biomass in the site's upland habitats, resulting in a loss of vegetation cover. Reduced cover would likely increase the risk of predation for any California red-legged frogs or San Francisco garter snakes that are potentially using the site's upland habitats for dispersal or foraging. Furthermore, reduced plant biomass could result in reduced biomass of prey for California red-legged frogs and San Francisco garter snakes, if any, further reducing the quality of the site's potential upland habitat for these species. Dispersing sub-adult California red-legged frogs have been observed in 2011 on the site at the south end of Pilarcitos Avenue near the Kehoe Watercourse (CNDDDB 2014). However, because the site does not contain breeding habitat for California red-legged frogs or high-quality foraging habitat for either species, few, if any, California red-legged frogs or San Francisco garter snakes are expected to disperse across the site or use it for foraging. Therefore, the number of individual California red-legged frogs and San Francisco garter snakes potentially affected by impacts to the quality of potential on-site upland habitat is extremely low, if any such impacts will occur at all. Furthermore, it is possible that vegetation removal will have a net positive effect on the quality of potential upland habitat on-site. Thinning of the thick vegetation, especially blackberry thickets, could facilitate dispersal of California red-legged frogs and San Francisco garter snakes, if any, allowing them to more easily travel to the Kehoe Watercourse to exploit temporary prey resources available during the rainy season when the ditch holds water, and facilitating dispersal back to higher-quality habitat at Pilarcitos Creek once the Kehoe Watercourse dries. Thus, impacts to potential upland habitat for California red-legged frogs and San Francisco garter snakes are considered to be less than significant for the conservation of the local populations of these species.

#### 6.1.2 Potential Impacts to Other Special-status Wildlife

Vegetation removal during the breeding season (mid-March to mid-August) may displace nesting San Francisco common yellowthroats (a California species of special concern) and could potentially result in the destruction of active nests of this species or abandonment of active nests due to disturbance. Similarly, project activities during the nesting season could potentially disturb nesting white-tailed kites (a state fully protected species) if any are nesting nearby, although white-tailed kites may benefit from the removal of vegetation, making it easier to detect and capture prey.

Potential impacts of the project on these species, would not be considered significant, in our opinion, because of the very low number of individuals that may be impacted, relative to these species' regional abundance. Any impacts would affect no more than one or two pairs of yellowthroats and one pair of kites, which would have no measurable effect on these species' populations. Such impacts would therefore not rise to the level of a substantial effect and thus would be less than significant.

### **6.1.3 Potential Impacts to Monterey Pines**

Two planted Monterey Pine trees are located on or immediately adjacent to the site (Figure 1). Because no tree removal or significant trimming is proposed and the vegetation trimming will be restricted to the grasses and coastal scrub of the upland areas on the site, we do not expect that the trees will be disturbed by these activities. Therefore the project is not expected to have any impacts on existing Monterey Pine trees.

### **6.1.4 Potential Impacts to Wild Strawberry Habitat**

Although no wild strawberry plants were observed during the site visit on 20 February 2014, the site is considered wild strawberry habitat because it is entirely within 0.5 mi of the coast (pursuant to Zoning Code § 18.38.020). However, the suitability of the site for wild strawberries is low, because of the predominance of nonnative grasses, ruderal forbs, and scrub. Therefore, project activities are not expected to affect the suitability of the habitat for wild strawberry, and therefore the project's potential impacts on wild strawberry habitat are considered less than significant.

## **6.2 Impacts Found to Be Less Than Significant With Mitigation**

With appropriate mitigation measures, the following impacts to special-status species and/or their habitats from the project's vegetation management measures are expected to be less than significant.

### **6.2.1 Potential Impacts to CCC Seasonal Wetlands**

Seasonal wetland habitat is associated with mild depressions and is widely scattered throughout the uplands where vegetation management activities are expected to occur. These areas are weedy and support a high concentration of two invasive species, poison hemlock and bristly ox-tongue. Because no ground disturbance is proposed within these areas, the management activities are not expected to cause the permanent loss of the wetlands. With the incorporation of measures listed below for impacts related to the spread or introduction of weeds (see Sections 6.2.2 and 7.1), the management activities have the potential to improve habitat values and functions within these wetlands by controlling invasive, non-native vegetation. However, any motorized activity such as mowing using vehicular mowing equipment; the parking of vehicles; storage of other materials; fueling and maintenance of vehicles or other equipment; or discharge of pollutants or trash within seasonal wetland habitat could disturb the soil, introduce negative water quality impacts related to sedimentation or potential fuel spills, or alter the microtopography in the wetlands through compaction or rutting within this habitat, which could potentially impact the seasonal wetland habitat. The mitigation measures described in the next section (see *Mitigation Measures to Avoid and Minimize Impacts to CCC Wetland Habitat, Aquatic Habit for California Red-legged*

*Frogs and San Francisco Garter Snakes, Riparian Areas, and the Riparian Buffer Zone* under *Mitigation and Zoning Code Measures* below) would reduce impacts to a level that is less than significant for the conservation of this wetland habitat.

### **6.2.2 Potential Impacts Related to the Spread or Introduction of Weed Species**

Several non-native species with the potential to spread as invasive, noxious weeds occur on the site. These include iceplant, poison hemlock, bristly ox-tongue, and fennel. Management activities related to vegetation removal have the potential to spread these infestations within the site or to other sites, or to introduce new species from other sites. For example, disturbance of ice plant mats can spread ice plant rhizomes and other clonally spreading structures, and cutting and mulching dried seed heads of fennel, poison hemlock, and bristly ox-tongue can spread the weed seeds within these seed heads. Goat grazing is often considered to be of particular use for weed management, as goats tend to graze noxious weeds more than either cattle or sheep, although they can also contribute to the spread of weed seeds that become stuck to their hair or are transported in their excrement. The use of hand tools and mowing equipment to manage vegetation can also spread weed propagules if not washed between sites. However, the mitigation measures described in the next section (see *Mitigation Measures to Avoid and Minimize Impacts Related to Weed Introduction and Spread* under *Mitigation and Zoning Code Measures* below) would reduce impacts to a level that is less than significant.

### **6.2.3 Potential Impacts to Riparian Areas and Buffer**

The willow riparian scrub habitat bordering the Kehoe Watercourse is designated as Riparian Area under Zoning Code §18.38.020. The project does not include vegetation management in the willow riparian scrub. However, if grazing by goats is used as part of the project's vegetation management measures, goat grazing within the Riparian Buffer Zone could cause significant damage to the Riparian Areas by damaging riparian plant species or creating areas of bare soils that may cause erosion of soil into the Kehoe Watercourse. The mitigation measures described in the next section (see *Mitigation Measures to Avoid and Minimize Impacts to CCC Wetlands, Aquatic Habitat for California Red-legged Frogs and San Francisco Garter Snakes, Riparian Areas, and the Riparian Buffer Zone* under *Mitigation and Zoning Code Measures* below) would reduce impacts on Riparian Areas and the Riparian Buffer Zone to levels that are less than significant for the conservation of these Coastal Resources.

### **6.2.4 Potential Impacts to Aquatic Habitat for California Red-legged Frogs and San Francisco Garter Snakes**

Nonbreeding aquatic habitat for California red-legged frogs and San Francisco garter snakes occurs on-site in the Kehoe Watercourse. However, no vegetation management or other project activities are proposed for any part of this ditch. Therefore, it is likely that the project will have no direct impacts on aquatic habitat for California red-legged frogs and San Francisco garter snakes. However, any activity, such as parking of vehicles, mowing equipment, or storing of other materials, fueling and maintenance of vehicles or other equipment, or discharge of pollutants or trash within the Riparian Buffer Zone could disturb the soil within this zone or allow pollutants to enter the aquatic habitat, which could potentially impact the aquatic habitat for California red-legged frogs and San Francisco garter snakes. If the project's vegetation management measures include goat

grazing, it is possible that goats could inadvertently enter and damage the sensitive habitat in the Kehoe Watercourse. However, the mitigation measures described in the next section (see *Mitigation Measures to Avoid and Minimize Impacts to CCC Wetland Habitat, Aquatic Habit for California Red-legged Frogs and San Francisco Garter Snakes, Riparian Areas, and the Riparian Buffer Zone* under *Mitigation and Zoning Code Measures* below) would reduce impacts to a level that is less than significant for the conservation of the species.

### **6.2.5 Potential Impacts to Individual California Red-legged Frogs and San Francisco Garter Snakes**

Because the site does not contain breeding habitat for California red-legged frogs or high-quality foraging habitat for either species, few, if any, California red-legged frogs or San Francisco garter snakes are expected to disperse across the site or use it for foraging. Nevertheless, because the potential exists for these species to be present on-site during vegetation management activities, a small number of individual California red-legged frogs and San Francisco garter snakes could potentially be disturbed, killed, or injured by the project. In order to minimize the potential for disturbance, injury, and mortality of red-legged frogs or garter snakes, the mitigation measures described in the next section (see *Measures to Avoid and Minimize Impacts to Individual California Red-legged Frogs and San Francisco Garter Snakes* under *Mitigation and Zoning Code Measures* below) should be implemented, thus reducing impacts to a level that is less than significant for the conservation of the local populations of these species.

### **6.2.6 Potential Impacts to Raptors**

Raptors could potentially establish nests and roosts in the Monterey pine tree in the northeast section of the site or the Monterey cypress trees at the southwest end of the project site. However, all of the raptor species that would potentially nest on-site are regionally common species, and are likely to be acclimated to high levels of disturbance caused by the proximity of the wastewater treatment plant, Highway 1, high-traffic commercial areas, and medium-density residential areas. Project activities, such as vegetation removal, that occur during the breeding season could potentially disturb nesting raptors to the point of nest abandonment, possibly resulting in the loss of eggs or chicks. However, because of the territorial nature of these species, very few nests could be present within the site, and therefore the number of nests that could be lost is very low. The abandonment of one or two nests caused by project activities would not have a substantial impact on regional populations of these species, and the loss of the potential habitat within the site would not result in a substantial reduction of nesting habitat available to these species. However, these losses would be considered potentially significant. The federal Migratory Bird Treaty Act and the California Fish and Game Code prohibit any take of native migratory birds (individuals or their nests, eggs, or nestlings), which includes the raptor species potentially nesting within or near the site. Additionally, raptors are identified as Unique Species in the Half Moon Bay Zoning Code, and as such are given additional regulatory protection. Thus, under the LCP, even the presence of a raptor (e.g., a red-tailed hawk) nesting on the site would necessitate protection of that nesting habitat, regardless of any mitigation or minimization measures. In order to minimize the potential for disturbance, injury, and mortality of nesting raptors, the mitigation measures described in the next section (see *Measures to Avoid and Minimize Impacts to Nesting Raptors* under *Mitigation and Zoning Code Measures* below) should be

implemented, thus reducing impacts to a level that is less than significant for the conservation of the local populations of these species.

## Section 7.0 Mitigation and Zoning Code Measures

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### 7.1 Mitigation Measures to Avoid and Minimize Impacts Related to Weed Introduction and Spread

The following mitigation measures are provided to reduce the potential impacts related to weed spread and introduction to a level that is less than significant:

1. All equipment used to remove vegetation, including hand tools and mowers, must be washed at the originating equipment yard or a legally operating car wash prior to being used on the site, and after being used on the site.
2. After vegetation management has occurred, but prior to mulching, the leftover above-ground plant material from all cut iceplant, poison hemlock, fennel, and bristly ox-tongue will be collected, and transported (using a tarp and/or covered truck bed or similar containment to prevent spread of material during transport) to a licensed compost facility that uses hot-composting or similar methods to kill seed banks and other vegetative propagules. Mulching of vegetation containing weedy species should be avoided.

### 7.2 Mitigation Measures to Avoid and Minimize Impacts to CCC Wetland Habitat, Aquatic Habitat for California Red-legged Frogs and San Francisco Garter Snakes, Riparian Areas, and the Riparian Buffer Zone

The vegetation management activities are not planned to occur within the Kehoe Watercourse or the Riparian Buffer Zone along the Kehoe Watercourse (see Area of Weed Abatement Activities in Figure 2). However, the following mitigation measures are provided to reduce the potential impacts to any CCC seasonal wetland habitat, aquatic habitat for California red-legged frogs and San Francisco garter snakes, and Riparian Areas and the Riparian Buffer Zone, to a level that is less than significant:

- 1) To protect against soil disturbance, no vehicles or mowing equipment will be parked in seasonal wetland habitat or the Riparian Buffer Zone, and no equipment or other materials will be stored or stockpiled in seasonal wetland habitat or the Riparian Buffer Zone, and no equipment, materials, or project personnel will enter the Kehoe Watercourse.
- 2) If mowing is to occur, then prior to project activities, a qualified biologist shall designate the work area and any staging areas as well as delineate areas that should be avoided. Areas that would be identified to avoid include wild strawberry populations, special-status plant species, and CCC wetlands. Vegetation can be removed from the CCC wetlands within the project area using hand tools or small push mowers, not vehicular mowing equipment.

- 3) No pollutants, including but not limited to sediments, heavy metals, pesticides, herbicides, fertilizers, nutrients, construction material, chemicals, petroleum hydrocarbons, trash, etc. shall be directly discharged to any SHA, wetland, stream, drainage ditch, or coastal waters.
- 4) All fueling and maintenance of vehicles and other equipment and staging areas shall occur at least 50 ft from any seasonal wetland habitat, riparian areas, riparian corridor, or other drainage feature or waterbody in a location specified by the project biologist. Cleaning, fueling, or maintaining vehicles on site will be avoided, except in an area designated by the biologist to contain and treat runoff. Leaks, drips, and other spills will be cleaned up immediately so they do not contact storm water. Pavement or surfaces where materials have spilled will not be washed down. Dry cleanup methods will be used whenever possible. Prior to the onset of work, all workers will be informed of the importance of preventing spills, and of the appropriate measures to take should a spill occur.
- 5) In areas with burrows, wet aquatic habitat, or wetlands, vegetation will be removed using hand-operated tools or goat grazing. Goat grazing, if implemented, will be managed to prevent goats from entering the Kehoe Watercourse or the Riparian Areas and to prevent over-grazing and degradation of the site's upland and wetland habitats. Secure fencing around the Kehoe Watercourse and the Riparian Areas, or secure tethering of goats away from those portions of the project site, will be implemented to prevent goats from entering those sensitive habitats. Furthermore, goats will not be allowed to create areas of bare soil that facilitate the colonization of invasive nonnative plants or cause erosion of soil into the Kehoe Watercourse.

### **7.3 Mitigation Measures to Avoid and Minimize Impacts to Individual California Red-legged frogs and San Francisco Garter Snakes**

Impacts to individual California red-legged frogs and San Francisco garter snakes can be reduced to a level that is less than significant with implementation of the following mitigation measures:

- 1) Project activities during the most vulnerable portions of the annual cycle will be avoided. It is expected that San Francisco garter snakes and California red-legged frogs are more likely to be found on the project site during the rainy season rather than when the Kehoe Watercourse and surrounding area are dry. Therefore the project's vegetation management activities will be conducted in the dry season (1 June through 14 October) when individuals of these species are most likely absent.
- 2) The project activities will be limited to the upland area of the site, at least 50 ft from the Kehoe Watercourse and 50 ft from the riparian dripline associated with the Kehoe Watercourse.
- 3) A qualified biologist (a biologist possessing a valid Scientific Collecting permit from the CDFW for amphibians and reptiles) shall be on site during all project activities defined in this report, including mowing, goat grazing, and hand trimming that have the potential to impact individual California red-legged frogs or San Francisco garter snakes. The biologist will determine if the activity or activities

have the potential to impact individual California red-legged frogs or San Francisco garter snakes and will remain on site throughout each day of project activities, in order to ensure that any frogs or snakes that make their way into the work area are not harmed. The biologist shall have the authority to halt any action that might result in impacts.

- 4) A daytime pre-activity survey shall be conducted by the qualified biologist of the entire area in which vegetation management activities will take place no more than 48 hours before and again immediately preceding the commencement of weed abatement activities. Each day prior to project activities, the biologist will also conduct a pre-activity survey of the area to be subject to vegetation clearing. Surveys will consist of walking transects while conducting visual encounter surveys in areas that will be subject to vegetation clearing. The biologist will also look for areas with burrows or aquatic/wetland habitat within the vegetation maintenance area. If any California red-legged frog or San Francisco garter snake is found within the area in which vegetation management will occur then work will not begin until the CDFW and USFWS are notified and consulted. The individual will be allowed to leave the site on its own.
- 5) If no California red-legged frog or San Francisco garter snake is found during the pre-activity surveys, all vegetation within the maintenance area will be trimmed using mowing, or hand trimming to a height of between 8 and 12 inches, but no less than 6 inches. If goat grazing is used, care will be taken to ensure that they do not overgraze, and that the average height of vegetation following grazing is no less than 6 inches. Trimming in areas identified by the biologist to contain burrows or to be wet aquatic or wetland habitat will be conducted using hand-held tools to reduce the possibility of frogs or snakes being disturbed, killed, or injured by machinery such as mowers.
- 6) Before any project activities begin, the qualified biologist shall conduct a training session with project personnel to describe the California red-legged frog and the San Francisco garter snake, as well as their habitats, conservation status, specific measures being implemented to minimize effects on the species and their habitats and the Riparian Buffer Zone, and to explain the boundaries of the project area.
- 7) If any special-status wildlife species are observed by project personnel, the project personnel should contact the qualified biologist immediately. The biologist will identify the species and determine the best course of action.
- 8) The site will then be thoroughly resurveyed by the qualified biologist in an effort to detect any California red-legged frog or San Francisco garter snake present. Again, if any individual of these species is observed, work will stop and the CDFW and USFWS will be notified and consulted.
- 9) If no California red-legged frog or San Francisco garter snake is found during the second survey, further vegetation maintenance (e.g., mowing, goat grazing, or hand-trimming of vegetation below a height of 8-12 in) will then proceed carefully and be completed immediately thereafter while the biologist is present. The biologist shall walk in front of equipment to observe for possible presence of frogs or snakes. Any frog or snake encountered will be identified by the biologist. If an individual

California red-legged frog or San Francisco garter snake is detected, work will stop and the CDFW and USFWS will be notified and consulted. If a frog or snake that is not of one of these species is detected, it will be moved out of harm's way by the biologist.

- 10) No stockpiling of vegetation or soil shall occur at the worksite. Vegetation should be placed directly or as quickly as feasible into a disposal container and removed from the site. Vegetation shall not be piled on the ground unless it is later disposed of under the supervision of the qualified biologist.
- 11) During activities, all trash shall be properly contained, removed, and disposed of regularly. Following activities, trash/debris shall be removed from work areas.
- 12) Ground-disturbing activities, such as disking, will not be used anywhere on the site, in order to avoid destroying small mammal burrows and other upland refugia that could contain California red-legged frogs or San Francisco garter snakes.

## 7.4 Potential Measures to Avoid and Minimize Impacts to Nesting Birds

The federal Migratory Bird Treaty Act and the California Fish and Game Code prohibit any take of native migratory birds (individuals or their nests, eggs, or nestlings), which include all native birds potentially nesting within or near to the project alignment. Additionally, raptors are identified as Unique Species in the Half Moon Bay Zoning Code Section 18.38.090, and as such are given additional regulatory protection. As a result, we recommend the following measures to avoid impacts to protected nesting birds:

- 1) Project activities shall occur during the nonbreeding season (1 September – 31 January) to the extent feasible.
- 2) If project activities cannot be constrained to the nonbreeding season, any project activity that occurs during the nesting season (generally 1 February to 31 August) shall be preceded by pre-activity surveys conducted by a qualified biologist to determine whether any nests of native birds are present in close proximity to work areas.
- 3) If nests are found, a buffer of at least 250 ft for raptors and 100 ft for non-raptors shall be established, and will remain free from new activity (*i.e.*, activity related to the project that is substantially greater than existing vehicular and pedestrian activity on the site) until the nest is no longer active.

## Section 8.0 Monitoring and Reporting Program

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In order to ensure that the above conservation measures are being followed, and are adequately protecting Coastal Resources, the following actions shall be taken:

- 1) The designated qualified biologist will adhere to the measures in Sections 7.2 and 7.3 above by conducting pre-activity surveys and monitoring of the weed abatement activity on the site to confirm that all of the required measures above in Section 7.0 are being actively employed and implemented effectively, and assessing the condition of identified SHAs and Coastal Resources within the project area to determine whether the measures are effective in avoiding and minimizing impacts to those habitats and resources.
- 2) The qualified biologist will log survey and monitoring activities each day during the duration of the weed abatement to document implementation of the mitigation, identify any issues that may potentially impact SHAs or sensitive species and identify how these issues were resolved. The biologist will immediately notify the Community Development Director of any serious unresolved issues in implementing the mitigation.
- 3) At completion of the weed abatement activities, the biologist will prepare and submit a report documenting his/her survey and monitoring activities, including dates of these activities, whether sensitive species were found on the site, if issues occurred that may potentially impact SHAs or sensitive species, and how these issues were resolved.

## Section 9.0 Literature Cited

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## Appendix A. Photos

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Photo 1. Annual Grassland.



Photo 2. Annual Grassland.



Photo 3. Iceplant infestation.



Photo 4. Annual Grassland and Northern Coastal Scrub.



Photo 5. Annual Grassland and Northern Coastal Scrub.



Photo 6. Northern Coastal Scrub.



Photo 7. Annual Grassland with Willow Riparian Habitat in Background.



Photo 8. Willow Riparian Habitat.



Photo 9. California Blackberry Thicket.



Photo 10. Willow Riparian Understory with Ivy.



Photo 11. Kehoe Watercourse.

Photo 12. Kehoe Watercourse.



Photo 13. Kehoe Watercourse.



Photo 14. Kehoe Watercourse.



Photo 15. Side Ditch that Drains into the Kehoe Watercourse



Photo 16. Brush-filled Area Adjacent to Road Culvert.



Photo 17. Kehoe Watercourse Northeast of SAM Parcel.



Photo 18. Kehoe Watercourse Northeast of SAM Parcel.



Photo 19. Shallow Ditch Southeast of SAM Parcel.



Photo 20. Wetland Southwest of SAM Parcel Fed by the Kehoe Watercourse.



Photo 21. Pilarcitos Creek Southwest of SAM Parcel.



Photo 22. Wetland Southwest of SAM Parcel.



Photo 23. Valley Pocket Gopher Burrows on SAM Parcel.



Photo 24. California Vole Burrows on SAM Parcel.



## NOTICE OF EXEMPTION

**TO:** Office of Planning & Research  
P.O. Box 3044  
Sacramento, CA 95812-3044

**From:** City of Half Moon Bay  
501 Main Street  
Half Moon Bay, CA 94019

County Clerk  
San Mateo County  
555 County Center, 1<sup>st</sup> Floor  
Redwood City, CA 94063

**PROJECT TITLE:** Sewer Authority Mid-Coastside, Goat Grazing Vegetation Management Program

**PROJECT APPLICANT:** Sewer Authority Mid-Coastside

**PROJECT LOCATION:** Bev Cunha's Country Road (APN: 048-240-040), Half Moon Bay, California

**Description of Nature, Purpose and Beneficiaries of Project:** The vegetation management program is required by the Coastside Fire Protection District to reduce the fire threat to adjacent residential properties. In response to this fuel reduction requirement, Sewer Authority Mid-Coastside (SAM) is implementing a managed goat grazing program on the property. No pesticides or mechanized equipment will be used. Additional benefits of the Program include the reduction of non-native invasive plants that currently dominate much of the property and are adversely affecting the habitat value of the property.

**Name of Public Agency Approving Project:** City of Half Moon Bay

**Exempt Status:** (check one):

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. Guidelines § 15301 and 15304;
- Statutory Exemptions. State Code Number:

**Reasons why project is exempt:** The Program is Categorically Exempt from environmental review under the California Environmental Quality Act, pursuant to Class 1 and 4 exemptions, Section 15301(b) and (h) and 15304(i).

**15301 Existing Facilities.** Class 1 includes operation, maintenance or minor alteration of existing public or private facilities and topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. Specifically, this Exemption applies to investor and publicly owned utilities and includes maintenance of existing native vegetation.

### Evidence

The program consists of managed goat grazing of limited duration. The program will not result in an expansion or increased capacity of the existing Sewer Authority Mid-coast facilities or contribute to regional population growth that could require additional sewer capacity.

**15304. MINOR ALTERATIONS TO LAND** Class 4 consists of minor alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes. Examples include, but are not limited to:

*i) Fuel management activities within 30 feet of structures to reduce the volume of flammable vegetation, provided that the activities will not result in the taking of endangered, rare, or threatened plant or animal species or significant erosion and sedimentation of surface waters. This exemption shall apply to fuel management activities within 100 feet of a structure if the public agency having fire protection responsibility for the area has determined that 100 feet of fuel clearance is required due to extra hazardous fire conditions.*

### **Evidence**

Fuel management activities have been determined to be a priority of statewide importance and are exempt from CEQA review to protect structures, with certain limitations. No healthy, mature, scenic trees will be removed or adversely affected.

The vegetation management program has been determined to be necessary, by the Coastside Fire Protection District, to reduce fire related hazards to nearby residential properties. However, in this case, following Guideline 15304(i) verbatim would potentially cause significant effects to the environment. This is clearly counter to the intent of the Exemption which is to protect property and human safety, while limiting the amount of vegetation removal to the minimum necessary and ensuring that protected species and environmentally sensitive resources are not adversely affected. The subject property is separated from the residential properties by the Kehoe Watercourse, an intermittent stream. This section is typically dry in the summer months and would provide limited value as a fire break. It does, however, support a band of riparian vegetation along the channel that is classified as an Environmentally Sensitive Habitat Area. The area that is within either 30 or 100 feet of the residential properties, to the north, includes the riparian vegetation, which is the most environmentally sensitive and valuable habitat on the parcel. Consequently, the more environmentally sound approach is to conduct fuel reduction activities in the area outside of a fifty-foot wide riparian buffer. Although this would typically be outside of the recommended 30 or 100-foot area surrounding structures, it avoids potentially significant effects to the environment through project design and better fulfills the intent of this exemption.

Additionally, the Sewer Authority Mid-Coastside Parcel Coastal Resources Conservation Biological Report, prepared by H.T. Harvey and Associates, dated July 22,2015, evaluated the Program concluded that goat grazing would be beneficial for the single parameter seasonal wetlands located in the upland area of the property, due to goats general preference for grazing on non-native plants that currently dominate the property. The study also concluded that the use of mechanized equipment could cause adverse effects to these resources. A study published by the Alameda County Resource Conservation Service, Managing Rangelands to Benefit California Red Legged Frogs and California Tiger Salamanders, in 2013, summarized the findings of numerous studies and concluded that rangeland grazing was generally not detrimental to California Red Legged Frog (CRLF) populations and in some cases can be beneficial. The study notes that trampling of these species appears to be rare and that CRLF have been observed using hoof footprints as refuges during dry periods. In 2014, The Coastside Land Trust

implemented a similar goat grazing program in the City of Half Moon Bay. The biological report prepared by The Huffman- Broadway Group, for the Land Trust, concluded that by limiting grazing to summer months, when the potential for CRLF and San Francisco Garter Snake (SFGS) presence would be at its lowest there would not be significant impacts to these species. Furthermore, they note that reducing the density of ground cover that blocks the movement of these species could be beneficial. The Coastside Land Trust grazing program is a successful model that has been in effect since 2014.

With the inclusion of avoidance measures, that have been developed in consultation with the California Department of Fish and Wildlife and the consulting biologist, H. T. Harvey and Associates, the project does not have the potential to cause significant impacts to the environment. Avoidance measures include: 1) Installing temporary fencing to prevent grazing within environmentally sensitive areas; 2) Pre-activity site surveys; 2) Active monitoring to prevent overgrazing and to optimize the removal of non-native invasive plants; and 3) Annual monitoring and reporting of results by a qualified biologist.

Lead Agency Contact Person: Douglas Garrison Telephone/Extension: 650 712 5836

**If filed by applicant:**

1. Attach certified documents of exemption finding.
2. Has a Notice of Exemption been filed by the Public Agency approving the project?  Yes  No

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Title: \_\_\_\_\_

Signed by Lead Agency  Signed by Applicant

Authority cited: Sections 21083 & 21110, Public Resource Code.

Date Received for filing at OPR: \_\_\_\_\_